

## Closed Caption Log, Council Meeting, 2/26/04

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THERE BEING A QUORUM PRESENT, I WILL CALL TO ORDER THIS MEETING OF THE AUSTIN CITY COUNCIL. IT IS 10 MINUTES AFTER 10:00 IN THE MORNING ON THURSDAY, FEBRUARY 26th, 2004. WE ARE IN THE BOARD ROOM OF THE LCRA HANCOCK BUILDING, 3700 LAKE AUSTIN BOULEVARD. AT THIS TIME, I WILL READ CHANGES AND CORRECTIONS TO THIS WEEK'S POSTED AGENDA. LOOKS LIKE WE JUST HAVE ONE CHANGE. ITEM NO. 13 WILL BE POSTPONED TO MARCH 25th, 2004. OUR TIME CERTAIN ITEMS ON TODAY'S AGENDA, AT 12 NOON GENERAL CITIZENS COMMUNICATIONS, AT 3:00 P.M., WE WILL RECESS THE AUSTIN CITY COUNCIL MEETING AND CALL TO ORDER A MEETING OF THE BOARD OF DIRECTORS OF THE AUSTIN HOUSING FINANCE CORPORATION, THOSE ITEMS SHOW UP ON TODAY'S AGENDA AS AHFC 1 AND 2. WE WILL THEN RECONVENE THE AUSTIN CITY COUNCIL MEETING AND AT 4:00 P.M. HAVE OUR ZONING HEARINGS AND APPROVAL OF ORDINANCES AND RESTRICTIVE COVENANTS THAT SHOW UP AS ITEM Z-1 THROUGH Z-11 ON TODAY'S AGENDA. AT 5:30 WE BREAK FOR LIVE MUSIC AND PROCLAMATIONS, 6:00 PUBLIC HEARINGS AND POSSIBLE ACTION. THIS WEEK IS A SINGLE ITEM, NUMBER 37. AT THIS TIME, I WILL READ THE -- THE BOARD AND COMMISSION APPOINTMENTS THAT SHOW UP AS ITEM NO. 25 ON TODAY'S AGENDA. TO OUR COMMUNITY DEVELOPMENT COMMISSION, CHARLENE PERKINS AS THE SAINT JOHN'S NEIGHBORHOOD REPRESENTATIVE AS A CONSENSUS APPOINTMENT. DOWNTOWN COMMISSION, THERESA FERGUSON, WHO IS A MUSIC COMMISSION REPRESENTATIVE, IS A CONSENSUS REAPPOINTMENT. TO

THE ETHICS REVIEW COMMISSION, JOSE DE LA FUENTA IS COUNCILMEMBER MCCRACKEN'S NOMINATION. TO THE MEDICAL ASSISTANCE PROGRAM AND RURAL MEDICAL ASSISTANCE PROGRAM JOINT ADVISORY BOARD, KATHRYN FALON CONSENSUS APPOINTMENT. TO THE PLANNING COMMISSION JEROME NEWTON IS COUNCILMEMBER THOMAS'S APPOINTMENT. TO THE RENAISSANCE MARKET COMMISSION, MICHAEL CLEANMAN IS A CONSENSUS REAPPOINTMENT. TO THE TELECOMMUNICATIONS COMMISSION, I GUESS THAT WAS SUPPOSED TO BE JESUS, I'M SORRY IF I'M MISPRONOUNCING THAT, FUENTES IS COUNCILMEMBER ALVAREZ'S REAPPOINTMENT. AND TO THE ZONING AND PLATTING COMMISSION JOSEPH MARTINEZ IS A CONSENSUS REAPPOINTMENT. THAT'S ITEM NO. 24, OUR BOARD AND COMMISSION APPOINTMENTS. COUNCIL, I -- I APOLOGIZE, I'VE BEEN IN THE -- I'VE BEEN REMISS, LATELY I HAVEN'T BEEN IN THE HABIT OF ASKING FOR A PREVIEW OF ITEMS FROM COUNCIL FOR THE NEXT AGENDA. SO AT THIS TIME BEFORE I READ THE CONSENT AGENDA FOR THIS WEEK, I WILL ASK IF THERE ARE ANY ITEMS TO BE PLACED FROM COUNCIL ON NEXT WEEK'S AGENDA. COUNCILMEMBER SLUSHER OR ALVAREZ? TO MY RIGHT? I WILL SAY I'LL BE POSTING AN ITEM FROM COUNCIL ON NEXT WEEK'S AGENDA TO INSTRUCT THE CITY MANAGER TO IMMEDIATELY TERMINATE THE CONTRACT WITH THE CONTRACT PROVIDERS OF THE AUSTIN MUSIC NETWORK. WE WILL HAVE A PUBLIC DISCUSSION ON THAT VOTE AND THE CONTINUED TAX FUNDING OF AUSTIN MUSIC NETWORK NEXT THURSDAY.

**Alvarez:** I WANT TO MENTION A POTENTIAL ITEM. IT HAS TO DO WITH WAIVERS THAT WE DID LAST YEAR FOR THE FIRST - - DEVELOPMENT OVER BY THE YMCA. THE GOLF PROGRAM THAT THEY ARE SETTING UP. I BELIEVE COUNCIL HAD TAKEN AN ACTION TO -- TO WAIVE SOME PERMIT FEES AND FOR WHATEVER REASON THAT ACTION BY THE COUNCIL EXPIRED AND SO WE MAY JUST BRING BACK THAT ITEM TO REAUTHORIZE, BUT WE STILL HAVE TO CHECK TO MAKE SURE THAT STAFF FEELS THAT THEY WERE READY TO MOVE NEXT WEEK. THAT MIGHT BE SOMETHING ON NEXT WEEK'S AGENDA OR A SUBSEQUENT AGENDA.

THANK YOU, COUNCILMEMBER. AGAIN, THIS -- THIS PRELIMINARY ANNOUNCEMENT TODAY DOESN'T PRECLUDE

COUNCILMEMBERS FROM PLACING AN ITEM ON NEXT WEEK'S AGENDA. WE JUST TRY TO GIVE AS MUCH FOE AS WE CAN TO FOLKS IN ADVANCE. AT THIS TIME, I WILL READ THIS WEEK'S CONSENT AGENDA. WE DON'T HAVE ANY ITEMS THAT HAVE MORE THAN FIVE CITIZENS SIGNED UP. LET'S ANNOUNCE THE ITEMS THAT HAVE BEEN PULLED, THAT IS ITEMS THAT WILL HAVE DISCUSSION ON -- AFTER WE PASS THE CONSENT AGENDA. ITEM NO. 2, RELATED TO AN INTERLOCAL AGREEMENT, PULLED BY COUNCILMEMBER SLUSHER. ORIGINALLY COUNCILMEMBER MCCRACKEN PULLED ITEM NO. 6, BUT -- OKAY, SO ITEM NO. 6 WILL REMAIN ON THE CONSENT AGENDA. ITEM NO. 7 PULLED BY COUNCILMEMBER MCCRACKEN. THOSE ARE THE ONLY TWO ITEMS, NUMBER 2 AND NUMBER 7 THAT I SHOW CURRENTLY AS BEING PULLED OFF THE CONSENT AGENDA.

COUNCILMEMBER MCCRACKEN? ACTUALLY, WE NEED TO PULL THE AGENDA ITEM NO. 27.

**Mayor Wynn:** THANK YOU.

**McCracken:** THEN ALSO THE AGENDA ITEM THAT'S IN THE SUPPLEMENT, CROF IN A IN FRONT OF ME -- I DON'T HAVE IT IN FRONT OF ME RIGHT NOW, RELATING TO THE INDEPENDENT STUDY [INDISCERNIBLE], I'LL HAVE SOME QUESTIONS ABOUT THAT.

**Mayor Wynn:** SO ITEM NO. 27 WILL BE PULLED BY COUNCILMEMBER MCCRACKEN. AS WILL.

40.

**Mayor Wynn:** ITEM NO. 40 THAT WAS ON TODAY'S ADDENDUM. SO CURRENTLY THE ITEMS PULLED OFF THE CONSENT AGENDA ARE ITEMS 2, 7, 27, AND 40. ANY OTHER ITEMS TO BE PULLED, COUNCIL? PLACED BACK ON? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE., WITH THAT I WILL -- HEARING NONE, WITH THAT I WILL READ NUMERICALLY OUR CONSENT AGENDA TODAY. ITEM NO. 1, 3, 4, 5, 6, 9, 10, 11, 12, 13 FOR POSTPONEMENT PER CHANGES AND CORRECTION, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 28, 29, 30, 31, AND 38. IF YOU WILL NOTE, THERE WERE A COUPLE OF ITEMS THAT I DID NOT READ ON THE CONSENT AGENDA. THEY ARE

TECHNICALLY OFF THE CONSENT AGENDA BECAUSE THEY ARE RELATED TO AN EXECUTIVE SESSION ITEM AND SO WE DON'T SHOW THEM AS BEING PULLED BY AN INDIVIDUAL COUNCILMEMBER. BUT I BELIEVE ITEM NO. 8 IS NOT ON THE CONSENT AGENDA BECAUSE IT RELATES TO EXECUTIVE SESSION. AS IS THE CASE WITH -- WITH 25. THANK YOU. AGAIN QUICKLY THE CONSENT AGENDA NUMERICALLY WILL BE ITEMS 1, 3, 4, 5, 6, 9, 10, 11, 12, 13 FOR POSTPONEMENT, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 28, 29, 30, 31, AND 38. I'LL ENTERTAIN A MOTION.

SO MOVE.

MOTION MADE BY COUNCILMEMBER MCCRACKEN.  
SECONDED BY COUNCILMEMBER DUNKERLY TO APPROVE THE CONSENT AGENDA AS READ. ANY COMMENTS, COUNCILMEMBER ALVAREZ?

JUST ONE, MAYOR, IF YOU DON'T MIND. NUMBER 26, I NEED TO PULL THAT.

**Mayor Wynn:** OKAY.

**Thomas:** IF WE CAN HAVE THAT IN EXECUTIVE -- OKAY. ITEM NO. 26 WILL BE PULLED AND NOT TAKEN UP UNTIL AFTER WE HAVE AN EXECUTIVE SESSION DISCUSSION. THAT'S OKAY SINCE WE CAN TAKE UP ANY ITEM ON THE AGENDA WHETHER OR NOT IT'S POSTED IN EXECUTIVE SESSION.

THAT'S CORRECT, MAYOR. WE ARE POSTED TO DISCUSS ANY ITEMS ON THE AGENDA IN THE EXECUTIVE SESSION.

**Mayor Wynn:** CORRECT, THANK YOU. FURTHER COMMENTS? COUNCILMEMBER ALVAREZ?

**Alvarez:** MY COMMENT, ONE OF MY COMMENTS WAS ON THAT ITEM. JUST ASKING THAT THE EFFECTIVE DATE OF THE ORDINANCE BE FURNISHED FORWARD A COUPLE OF WEEKS FROM MARCH 1st TO MARCH 15th, JUST TO HELP WITH THE -- WITH THE TIME THAT IT APPEARS THAT WE ARE GOING TO HAVE MORE OF A DISCUSSION I JUST WANT TO LET FOLKS KNOW THAT'S -- THAT'S SOMETHING THAT I WOULD LIKE TO -- TO SEE THE COUNCIL CONSIDER. THEN THE OTHER ITEM

JUST PERTAINING TO ITEM NO. 28. REGARDING --  
REGARDING SOME DIRECTION FROM THE JUDICIAL  
SUBCOMMITTEE AND THE MUNICIPAL COURT CLERK AND --  
AND I KNOW -- I RECEIVED SOME INPUT FROM OTHER  
COUNCILMEMBERS, SOME SPECIFIC IDEAS, I DON'T KNOW IF -  
- I DON'T KNOW IF THOSE ARE SOMETHING THAT WE WANT  
TO PUT ON THE RECORD JUST -- JUST TO BE PUT ON THE  
RECORD BETWEEN NOW AND THE END OF THE YEAR WHEN  
WE ARE ASKING FOR A NEW -- YOU KNOW FOR A REVISED  
EVALUATION AND SELECTION PROCESS. OKAY. THEN WE  
DON'T NEED TO PUT THOSE ON THERE.

COUNCILMEMBER DUNKERLY?

**Dunkerley:** I HAVE COMMUNICATED WITH COUNCILMEMBER  
ALVAREZ SOME OF THE IDEAS THAT I THINK SHOULD BE  
ADDED TO THE PROCESS. BUT I CAN JUST COMMUNICATE  
THOSE DIRECTLY TO THE SUBCOMMITTEE IF THAT'S OKAY.

**Mayor Wynn:** WELL SO TECHNICALLY THEN ITEM NO. 28,  
WHICH I'M FULLY SUPPORTIVE OF GETTING -- FULLY  
SUPPORTIVE OF GETTING DIRECTION TO THAT  
SUBCOMMITTEE THAT I CHAIR. DOES THE BACKUP HAVE  
SOME SPECIFIC RECOMMENDATIONS OR I GUESS BY  
APPROVING THIS WE ARE ACKNOWLEDGING THAT -- THAT  
THE SUBCOMMITTEE IS -- IS COGNIZANT AND WOULD  
APPRECIATE SOME DIRECTION FROM THE --

**Alvarez:** YEAH, IT'S VERY -- THE LANGUAGE IS VERY BROAD.  
SO I GUESS WE WOULD JUST ENCOURAGE ANY  
COUNCILMEMBERS THAT HAVE SUGGESTIONS ON HOW TO --  
YOU KNOW, HOW TO STRENGTHEN AND BUILD ON THE  
PROCESS THAT WAS ESTABLISHED, TO FORWARD THOSE  
IDEAS TO THE -- TO THE MEMBERS OF THE SUBCOMMITTEE.

COUNCILMEMBER MCCRACKEN?

**McCracken:** AGAIN, COUNCILMEMBER ALVAREZ'S  
SUGGESTION IS VERY TIMELY. BECAUSE OF TOMORROW'S  
JUDICIARY SUBCOMMITTEE WE HAVE ON THE AGENDA TO --  
TO PLACE OBJECTIVE DATA, COLLECTION, AS  
COUNCILMEMBER ALVAREZ SUGGESTED AND SO IF ANY OF  
OUR COLLEAGUES HAVE SUGGESTIONS BEFORE

TOMORROW'S MEETING, THAT WOULD BE PARTICULARLY HELPFUL AND THAT IS AN AGENDA ITEM FOR TOMORROW.

**Mayor Wynn:** ALL RIGHT. THANK YOU. COUNCILMEMBER SLUSHER?

**Slusher:** MAYOR, CLARIFY FOR ME AS -- ARE SIX AND SEVEN FULL --

**Mayor Wynn:** CURRENTLY -- CURRENTLY ONLY SEVEN HAS BEEN PULLED.

**Slusher:** LET'S DO BOTH OF THEM, I THINK THEY ARE RELATED.

**Mayor Wynn:** OKAY. SO THE -- SO ACTUALLY COUNCILMEMBER MCCRACKEN WILL YOU CONSIDER THAT A FRIENDLY AMENDMENT TO YOUR MOTION ON THE CONSENT AGENDA?

**McCracken:** YES, I DO.

**Mayor Wynn:** SO REITERATE THE ITEMS THAT AREN'T ON THE CONSENT AGENDA THAT HAVE BEEN PULLED SPECIFICALLY BY A COUNCILMEMBER AS OPPOSED TO THOSE TWO ITEMS ON THE EXECUTIVE SESSION ISSUES, ITEMS NUMBER 2, 6 AND 7, 27, 26, AND 406789 MOTION ON THE TAILING -- AND 40. MOTION ON THE TABLE TO APPROVE THE CONSENT AGENDA AS READ. FURTHER COMMENT? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn:OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH THE MAYOR PRO TEM TEMPORARILY OFF THE DAIS. COUNCILMEMBER ALVAREZ?

**Alvarez:** I'M SORRY I FORGOT YOU HAD ALREADY PULLED -- THE APPOINTMENT ITEM.

**Mayor Wynn:** YES. THANK YOU VERY MUCH. LET'S SEE, COUNCIL. WE DO HAVE A FEW CITIZENS, A COUPLE OF CITIZENS HERE ON ITEM NO. 7. SO -- SO WITHOUT

OBJECTION, WHY DON'T WE TAKE UP ITEMS NUMBER 6 AND 7. COUNCILMEMBER MCCRACKEN PULLED ITEM NO. 7.

**McCracken:** THANK YOU, MAYOR. I KNOW THAT COUNCILMEMBER ALVAREZ AND I DISCUSSED SOME POSSIBLE AMENDMENT TO THE PROPOSED FUNDING ON ITEM 7 AND -- AND REDIRECT AND MAKE SOME POLICY DECISIONS ON HOW WE SPEND OUR H.I.V. FUNDING TO ENSURE THAT WE PROVIDE HEALTH CARE AND HELP FOR THOSE WHO NEED THE DIRECT SERVICES RIGHT AWAY AND TO AVOID DISRUPTION OF SERVICES FOR FOLKS WHO ARE FIGHTING H.I.V. AND AIDS. I WOULD LIKE TO HEAR FROM OUR SPEAKERS FIRST, BUT I KNOW THAT COUNCILMEMBER ALVAREZ WILL HAVE AN AMENDMENT THAT I SUPPORT, ALSO.

**Mayor Wynn:** THANK YOU, COUNCILMEMBER, TWO CITIZENS SIGNED UP WISHING TO SPEAK, BOTH IN FAVOR WITH SUGGESTIONS. OUR FIRST SPEAKER WILL BE MICHAEL REGIERE? SORRY, THANK YOU. WELCOME, SIR, YOU'LL HAVE THREE MINUTES. YOU WILL BE FOLLOWED BY LEHMANN FORD.

THANK YOU, GOOD MORNING. MY NAME IS MICHAEL RIGER CHAIRMAN OF THE BOARD OF DIRECTORS OF AIDS SERVICES OF AUSTIN, OUR COMMUNITY'S NON-GOVERNMENTAL AIDS AND H.I.V. SERVICE AGENCY. I COME BEFORE YOU THIS MORNING TO SPEAK ABOUT AGENDA ITEM NO. 7 AND TO SUGGEST TO YOU SOME RECOMMENDATIONS FOR COUNCIL ACTION. ASA HAS ENJOYED A VERY LONG RELATIONSHIP WITH THE CITY, A VERY PRODUCTIVE RELATIONSHIP. WE HAVE BEEN VERY APPRECIATIVE OF THE FUNDING SUPPORT THAT THE CITY PROVIDE AND THAT WE HAVE BEEN ABLE TO USE TO SERVE OUR CLIENTS. HOWEVER, WE TOO HAVE SOME CONCERNS ABOUT THE PROPOSALS THAT ARE BEFORE YOU IN ITEM NO. 7 FOR THE FUNDING AWARDS UNDER THIS PROPOSED CITY/COUNTY H.I.V. COMMUNITY SERVICES INVESTMENT PLAN. IN THE INTEREST OF ATTEMPTING TO DO NO HARM TO THE COMMUNITY'S INFRASTRUCTURE FOR SERVICES, WE WOULD RESPECTFULLY SUGGEST THAT THE COUNCIL MOVE FORWARD WITH THE FOLLOWING EXCEPTIONS. THE FIRST WOULD BE TO SUGGEST THAT THE PROPOSED \$80,000 IN

FUNDING FOR AN AD OR MEDIA CAMPAIGN BE REALLOCATED TO THE CATEGORY FOR INFORMATION AND REFERRAL SERVICES. AND TO RESTORE THE FUNDING IN THAT CATEGORY TO SUPPORT THE CASE MANAGEMENT INFRASTRUCTURE AT AIDS SERVICES OF AUSTIN. THE SECOND RECOMMENDATION WOULD BE TO OPEN THE INFORMATION AND REFERRAL CATEGORY, WHICH HAS BEEN RESTRICTED TO NON-H.I.V. SERVICE PROVIDERS. TO AIDS SERVICE ORGANIZATIONS AND RESTORE THAT FUNDING TO ASA AND THEN FINALLY, WE WOULD -- WE WOULD SUGGEST THAT THE -- THAT THE CITY WORK WITH -- WORK WITH THE COUNTY TO IDENTIFY AN NATIONAL FUNDING FORCE FOR THE PROPOSED AD CAMPAIGN OR MEDIA CAMPAIGN CATEGORY. THERE MAY BE PUBLIC HEALTH BUDGET FUNDS THAT COULD BE REDIRECTED TO SUPPORT THIS MORE SPECIFIC H.I.V. OR AIDS AWARENESS PUBLIC CAMPAIGN. WE ARE NOT AGAINST A MEDIA CAMPAIGN, WE ARE JUST CONCERNED ABOUT MAKING THAT A PRIORITY OVER DIRECT SERVICES. THIS WOULD MAINTAIN THE CORE ELEMENTS THAT HAVE BEEN SET FORTH IN THE PROPOSED COMMUNITY DEVELOPMENT SERVICES PLAN WITHOUT DISRUPTING THE CURRENT LEVEL OF SERVICES. IF THE PROPOSED FUNDING AWARDS GO FORWARD, THE IMPACT TO ASA WOULD BE THAT IT WOULD BE TOTALLY INELIGIBLE FOR INFORMATION AND REFERRAL SERVICE FUNDING WHICH FOR ASA HAS BEEN AT \$112,000 ANNUALLY. THE IMPACT WOULD BE TO DISPLACE ABOUT 50% OF ITS CASE MANAGEMENT STAFF AND TO REDUCE THE SERVICE THAT WE COULD PROVIDE TO CLIENTS SO THAT WE WOULD -- WE MIGHT LOSE AS MANY AS 200 CLIENTS IN THE SERVICES THAT WE PROVIDE. THE SERVICE IS A KEY SERVICE TO INDIVIDUALS WHO ARE AT AN ENTRY POINT IN ACCESSING SERVICES FOR H.I.V. AND AIDS. IT'S MORE THAN SIMPLY MAPPING THESE INDIVIDUALS TO A PHONE NUMBER FROM FOR AN AGENCY. IT'S BEING THERE FOR A PERSON WHEN THEY REACH OUT FOR SERVICE AT THE RIGHT TIME. IF THEY HAVE TO CALL BACK, IF THEY HAVE TO GO TO ANOTHER PLACE, WE MAY LOSE THEM. THOSE ARE -- THE FINAL RECOMMENDATION, HE WOULD URGE THE CITY, THE COUNCILMEMBERS TO WORK WITH THE CITY STAFF TO ENSURE THAT AS WE GO FORWARD WE HAVE A VERY INCLUSIVE, OPEN COMMUNITY PLANNING PROCESS FOR H.I.V. AND OTHER SOCIAL SERVICES [BUZZER

SOUNDING] AND I WILL WRAP ON IT UP BY SAYING IT SHOULD INCLUDE PROFESSIONAL PLANNERS AND SPECIFIC OUTCOMES THAT WE WANT TO ACHIEVE WITH OUR VERY PRECIOUS INVESTMENTS OF OUR VERY LIMITED PUBLIC FUNDS, THANK YOU.

**Mayor Wynn:** THANK YOU. LEE MANFORD, WELCOME, YOU WILL HAVE 3 MINUTES.

THANK YOU. MAYOR WYNN AND COUNCILMEMBERS, I'M LEE MANFORD EXECUTIVE DIRECTOR OF AIDS SERVICES OF AUSTIN. I COME BEFORE YOU TODAY TO ASK THAT YOU APPROVE THE AWARD RECOMMENDATIONS OUTLINED IN THE RCA WITH SOME MODIFICATIONS. I ASK THAT YOU WORKING WITH THE COUNTY TO FIND THE FUNDING TO REPLACE THE -- PLACE THE CASE MANAGEMENT CAPACITY AS A RESULT OF REDIRECTION OF INFORMATION REFERRAL FUNDING THAT IS LOST AS A RESULT OF THESE ALLOCATIONS AND TO FIND FUNDING FOR THE AD CAMPAIGN THAT IS PROPOSED. LET'S SAY THE OLDEST AND LARGEST BASED COMMUNITY SERVICE PROVIDER IN AUSTIN TRAVIS COUNTY, PROVIDES THE MOST COMPREHENSIVE ARRAY OF SERVICES, DENTAL TO LEGAL, FOOD BANK TO HOME HEALTH SERVICES. IN 2003, ASA PROVIDED SERVICES TO 1,479 INDIVIDUALS, 52% OF WHOM WERE PERSONS OF COLOR. IN ADDITION, WE PROVIDED PREVENTION ACTIVITIES TOUCHING OVER 25,000 INDIVIDUALS. ASA WAS THE FIRST RECIPIENT OF FUNDING BACK IN THE MID '80'S, WE VALUED OUR PARTNERSHIP WITH THE CITY. TOGETHER WE HAVE BUILT A CONTINUUM OF SERVICES WITH OTHER COMMUNITY PARTNERS TO WORK TO PREVENT THE FURTHER SPREAD OF THIS EPIDEMIC IN OUR COMMUNITY AND TO PROVIDE COMPREHENSIVE SERVICES FOR OUR NEIGHBORS LIVING WITH H.I.V. DISEASE. THROUGH YOUR INVESTMENT IN THE SERVICE INFRASTRUCTURE OF AIDS SERVICES OF AUSTIN, WE HAVE BEEN ABLE TO PROVIDE SERVICES THAT ARE RESPONSIVE TO THE CHANGING DEMANDS OF AN EVOLVING EPIDEMIC. THE CHANGING DEMOGRAPHIC DOES CALL FOR CHANGING SERVICE STRATEGIES. WITH SUPPORT FROM THE CITY, ASA WAS THE FIRST AGENCY TO INTRODUCE AN EVIDENCE BASED PREVENTION INTERVENTION. WE CURRENTLY ARE ABLE TO OFFER THREE DIFFERENT LEVELS OF CASE MANAGEMENT. BASED ON THE UNIQUE LIFE

SITUATION AND DISEASE STAGE OF THE CLIENT. OFFERING A LEVEL OF INTERVENTION THAT'S APPROPRIATE TO THE UNIQUE NEEDS OF THE CLIENT. WE HAVE COMBINED NUTRITIONAL COUNSELING WITH ACCESS TO FOOD BANK. TO STRIVE FOR A NUTRITIONAL BENEFIT FROM ACCESS TO THAT SERVICE IN ADDITION TO THE FINANCIAL SUPPLEMENT IT AFFORDS. YOUR INVESTMENT MAKES POSSIBLE A CORE SAFETY NET OF HEALTH SERVICES THROUGH ASA AND OTHER PROVIDERS. AND WHILE WE LOOK FORWARD TO PROVIDING THE SERVICES AFFORDED ASA THROUGH THIS NEW RFA, THE SHIFT IN FUNDING DEFUNDS PART OF THE INFRASTRUCTURE THAT THE CITY HAS INVESTED IN. SPECIFICALLY I'M TALKING ABOUT THE INFORMATION REFERRAL FUNCTION AND HOW IT IS END -- HOW IT HAS ENHANCED CASE MANAGEMENT. THE LOSS OF OUR FUNDING FOR CASE MANAGEMENT AT ASA EQUATES TO A LOSS OF CASE MANAGEMENT CAPACITY FOR OVER 200 CLIENTS. INSPECT 2003, 677 CLIENTS WERE PROVIDED CASE MANAGEMENT, 57% OF WHOM WERE PERSONS OF COLOR. WE ARE LOSING 30% OF OUR CASE MANAGEMENT CAPACITY. IN ADDITION WE ARE LOSING THE IMMEDIACY OF ACCESS TO SERVICES THROUGH THE FRONT END COMPONENT OF OUR INFORMATION REFERRAL. AT A POINT THAT AN INDIVIDUAL IS READY TO ACCESS SERVICES, THE MORE DELAY THERE IS IN THAT INDIVIDUAL BEING ABLE TO ACCESS SERVICES THE MORE LIKELIHOOD THAT INDIVIDUAL [BUZZER SOUNDING] GOING TO FALL THROUGH THE CRACKS AND NOT ACCESS SERVICES UNTIL THE SITUATION IS MORE ACUTE. I URGE YOU TO CAREFULLY CONSIDER THIS RFA AND RESTORE THE FUNDING FOR CASE MANAGEMENT CAPACITY TO ENSURE THAT H.I.V. POSITIVE INDIVIDUALS WILL HAVE SERVICES TO ACCESS. THANK YOU.

THANK YOU. ARE THERE ANY OTHER CITIZENS WISHING TO SPEAK ON ITEM NO. 6 OR 7? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY WILL ENTERTAIN A MOTION OR FURTHER QUESTIONS OF STAFF OR COMMENTS, COUNCIL?

MOVE TO CLOSE THE PUBLIC HEARING OR TO --

WELL, IT'S NOT ON -- IT'S NOT A PUBLIC HEARING. I WAS BEGINNING TO DO THAT MYSELF, BUT --

OKAY. I DID HAVE A COUPLE -- A COUPLE OF QUESTIONS FOR STAFF ON THE MATTER. REALLY, IT RELATES TO -- IT RELATES TO -- TO I THINK SOMEWHAT OF A POLICY DECISION EARLY ON. IN THE PROCESS TO ALLOCATE CERTAIN FUNDS FOR -- FOR CERTAIN ACTIVITIES. IN THE AREA OF H.I.V./AIDS SERVICES. AND ONE OF THOSE AREAS WAS THIS MEDIA CAMPAIGN STRATEGY. AND REALLY I WAS WONDERING, BECAUSE I THINK ONE OF THE SUGGESTIONS WAS TO -- BECAUSE OF THE EFFECT OF, YOU KNOW, REDUCING THE -- THE LEVEL OF SUPPORT FOR THE I AND R SERVICES AT ASA IS MAYBE UTILIZING SOME OR ALL OF THAT FUNDING TO HELP -- TO HELP THE -- REPLENISH SOME OF THOSE FUNDS, BUT BECAUSE AGAIN THE IMPACT THAT IT MIGHT HAVE ON THE SERVICE DELIVERY SYSTEM. BUT REALLY JUST TO TALK A LITTLE BIT ABOUT THAT -- ABOUT THAT SOURCE OF FUNDS AND WHAT MAY BE POSSIBLE GIVEN WHAT WE ARE -- WHAT WE ARE POSTED FOR AS WELL AS -- AS WELL AS HOW IT MIGHT AFFECT OR HOW THE MEDIA CAMPAIGN RELATES TO OUR BROADER SERVICE DELIVERY OF THE SYSTEM.

RIGHT. OKAY. COUNCILMEMBER, I'M DAVID LOURIE, DIRECTOR OF HEALTH AND HUMAN SERVICES. IF I COULD, I WOULD LIKE TO SORT OF SET A CONTEXT FOR THIS BECAUSE WE'VE HAD A VERY INVOLVED PROCESS FOR THE LAST YEAR TO YEAR AND A HALF. WITH A LOT OF INVOLVEMENT WITHIN THE COMMUNITY. LOOKING AT OUR FUNDING AND OUR ALLOCATION OF THOSE FUNDS FOR H.I.V. AIDS RELATED SERVICES. ITEM 7 IS IN REFERENCE TO ABOUT \$940,000 OF COMBINED CITY AND COUNTY FUNDING. IN FACT WE ADMINISTER ABOUT \$8 MILLION FOR AIDS AND H.I.V. RELATED SERVICES HERE IN AUSTIN. THAT'S A COMBINATION OF FEDERAL, STATE AND LOCAL FUND. THE OVERWHELMING MAJORITY OF THOSE FUNDS HAVE GONE TOWARD DIRECT CARE AND SERVICES FOR PEOPLE LIVING WITH -- WITH H.I.V. THIS PROCESS ON THE 940,000, WHICH IS OUR LOCAL FUNDING, WHICH BY THE WAY WE HAVE PRETTY MUCH AND HE LOCAL INDICATED THE SAME WAY -- ALLOCATED FOR THE LAST 10 YEARS, WE THOUGHT IT WAS IMPORTANT THAT WE TAKE A LOOK AT THE EPIDEMIOLOGY AND CHANGING DEMOGRAPHICS ASSOCIATED WITH H.I.V. AIDS, I THINK MOST PEOPLE CLOSE TO THIS SUBJECT ARE VERY AWARE IN RECENT YEARS THERE'S BEEN A FAIRLY

SIGNIFICANT CHANGE IN TERMS OF POPULATIONS OF BEING IMPACTED. FOR EXAMPLE, IN '02, THE H.I.V. OR AIDS RATES FOR THE AFRICAN AMERICAN COMMUNITY RANGE FROM 3 TO 5 TIMES THAT OF THE WHITE COMMUNITY. AND IN '01, OF THOSE INDIVIDUALS WITH H.I.V. H.I.V. AIDS, 51% OF THE WOMEN, FEMALE CASES, WERE AMONG THE AFRICAN AMERICAN POPULATION. SO WE ARE SEEING DISPROPORTIONATE RATES EMERGING, PARTICULARLY AMONG OUR MINORITY POPULATION HERE IN AUSTIN. BY THE WAY, THIS IS CONSISTENT WITH WHAT IS HAPPENING IN A LOT OF OTHER COMMUNITIES. THE POINT BEING AS WE WENT THROUGH THIS PROCESS, THERE WAS A LOT OF DISCUSSION ABOUT HOW WE ARE ALLOCATING THESE FUNDS AND THE POTENTIAL TO REINVEST TO -- TO REFLECT THESE CHANGING DEMDEMOGRAPHICS FOR H.I.V./AIDS. ALTHOUGH THE CONVERSATION SEEMS TO BE FOCUSED SPECIFICALLY ON A TRADEOFF BETWEEN AIDS SERVICES OF AUSTIN AND THE MEDIA CAMPAIGN, I WANT TO REVIEW WITH THE COUNCIL VERY QUICKLY THAT THERE ARE A WHOLE SERIES OF ADJUSTMENTS IN FUNDING ASSOCIATED WITH THIS PROCESS. FIRST OF ALL, I'LL GO -- WE'LL RECEIVE AN ADDITIONAL \$80,000, WHICH IS TARGETED TOWARD THE HISPANIC AND AFRICAN AMERICAN POPULATIONS. THE RIGHT HOUSE WELLNESS CENTER WOULD RECEIVE ANOTHER \$37,000, PRIMARY TO REACH AND SERVE AFRICAN AMERICAN WOMEN AS WAS DISCUSSED THERE'S A PROPOSAL FOR INFORMATION AND REFERRAL THAT WOULD TO GO THE UNITED WAY 211 LINE, WHICH WE BELIEVE WOULD ENHANCE ACCESS BECAUSE THIS IS A 24 HOUR SERVICE. THAT HAS BEEN SUCCESSFUL IN OTHER COMMUNITIES AND IN FACT THE UNITED WAY HERE IN AUSTIN HAS BEEN PROVIDING INFORMATION AND REFERRAL SERVICES RELATED TO AIDS AND H.I.V. OF COURSE THEY PROVIDE A FULL SPECTRUM OF SERVICES AND OTHER SUPPORT NEEDS FOR INDIVIDUALS WITH H.I.V. AIDS. AS DOES -- AS HAS AIDS SERVICES OF AUSTIN. AS WE LOOKED AT THIS, AS WE LOOKED AT THE PROPOSAL, IT WAS IN NO WAY INTENDED TO MEAN THAT THE SERVICES THAT ASA WAS PROVIDING WERE NOT GOOD SERVICES AND IMPORTANT TO OUR COMMUNITY, BUT RATHER LOOKING AT THE POTENTIAL FOR ENHANCED ACCESS THROUGH THIS 24-HOUR PROGRAM WITH AN INVESTMENT OF \$40,000 TO

ENHANCE THE 211 SYSTEM. WE BELIEVE THAT CAN BE VERY SUCCESSFUL. AS I SAID, THEY HAVE BEEN PROVIDING THESE SERVICES. WE HAVE TESTED THAT SYSTEM AND HAVE HAD VERY POSITIVE RESULTS. THEN FINALLY THERE IS THE MEDIA CAMPAIGN AND AGAIN THIS IS FOCUSED ON THESE EMERGING POPULATIONS AND INDIVIDUALS WHO -- WHO HISTORICALLY HAVE PROBABLY NOT VIEWED THEMSELVES AS BEING AT RISK FOR H.I.V. AND WE THINK THAT IT'S EXTREMELY IMPORTANT TO -- TO INCREASE THE AWARENESS, THE FOCUS ON PREVENTION, AND REACHING THOSE INDIVIDUALS WHO IN FACT ARE AT RISK BUT PERHAPS DO NOT RECOGNIZE IT. THE WAY THIS IS STRUCTURED RIGHT NOW, IN TERMS OF CITY AND COUNTY FUNDING, WE TRY TO -- TO MAKE CERTAIN CONTRACTS 100% CITY AND 100% COUNTY BECAUSE IT'S MUCH EASIER TO ADMINISTER. SO THE WAY THAT WE HAVE THIS ORGANIZED, THE VARIOUS CONTRACTS IN FRONT OF YOU TODAY, WOULD ALL BE 100% CITY FUNDING WITH THE EXCEPTION OF AIDS SERVICES OF AUSTIN AND THE -- AND THE MEDIA CAMPAIGN, WHICH WE HAD INTENDED TO BE COUNTY FUNDING. SO THE COMMENT EARLIER, THE SUGGESTION ABOUT WORKING WITH THE COUNTY TO SEE IF WE COULD ENHANCE THE SUPPORT FOR THE MEDIA CAMPAIGN, IS IN FACT SOMETHING THAT WE WOULD INTEND TO DO AS WE GO OVER TO -- AS WE GO OVER TO THE COUNTY TO PRESENT THAT OPTION. WE HAD TWO PROPOSALS FOR THE MEDIA CAMPAIGN. ONE FROM AIDS SERVICES OF AUSTIN, AND ONE FROM THE WRIGHT HOUSE. WHAT WE HAVE PROPOSED AND DISCUSSED WITH THEM IS CREATING A PARTNERSHIP IN WHICH THOSE TWO ORGANIZATIONS TOGETHER WOULD BE SUPPORTED TO GO FORWARD WITH A MEDIA CAMPAIGN. THANK YOU.

THANK YOU, MR. LOURIE. FURTHER QUESTIONS, COMMENTS?

I HAVE A COMMENT.

COUNCILMEMBER DUNKERLY?

I THINK MY CONCERN REALLY IS WHEN YOU HAVE A LONG STANDING SERVICE IN THE COMMUNITY, WE HAVE AN ALLOCATION SHIFT, IT'S REALLY HARD, THERE NEEDS TO BE

SOME TRANSITION TIME TO MAKE SURE THAT THE -- THAT THE EMPLOYEES AND THE SERVICES HAVE SOME TIME TO EITHER BE BUILT UP BY -- FIND OTHER SOURCES OF REVENUE. SO I WOULD REALLY BE INTERESTED IN -- IN TRYING TO USE, IF POSSIBLE, THE MARKETING FUNDS TO BE THAT TRANSITION FOR THE ORGANIZATION AND THEN TO TRY TO GET THE -- I'M NOT SAYING THAT WE DON'T NEED THE MARKETING. BUT TRYING TO FIND ADDITIONAL FUNDING AND MAYBE IT'S NOT AS IMMEDIATE, MAYBE LATER IN THE YEAR WE COULD FUND ADDITIONAL MONEY FOR THE MARKETING ELEMENT. AND THEN AGAIN, IF -- IF THE COUNTY IS ABLE TO SOMEHOW INCREASE THEIR CONTRIBUTION LATER FOR -- FOR THE -- FOR THE INTAKE AND REFERRAL, THAT WOULD GIVE THEM A LITTLE BIT MORE TRANSITION RATHER THAN JUST HAVING IT, YOU KNOW, STOP ALL AT ONE TIME. SO THOSE WERE MY THOUGHTS. IT WAS -- IT'S ANY TIME THAT YOU SHIFT AN ALLOCATION, THERE JUST NEEDS TO BE SOME KIND OF TRANSITION TIME. I THINK IT'S VERY APPROPRIATE THAT WE INCREASE THE ALLOCATION TO THE -- TO THE OTHER AGENCIES. AT THE SAME TIME I THINK THAT WE NEED A PLAN TO TRANSITION THE REFERRAL SERVICES AND SUPPORT SERVICES THERE. SO NOT QUITE SURE WHAT I HEARD YOU SAY ABOUT -- ABOUT THE MARKETING MONEY. WHERE IT WAS -- THAT -- IF IT'S COMING FROM THE COUNTY, DO WE HAVE THE AUTHORITY TO -- TO SHIFT IT TO SUPPORT THAT TRANSITION. I GUESS THAT YOU COULD CLARIFY THAT FOR US.

THE THE WAY WE HAVE THIS STRUCTURED RIGHT NOW --

LET ME ASK YOU. COULD YOU PUT ANOTHER CONTRACT FOR THEIR MONEY AND THEN TAKE SOME OF THE MONEY THAT'S FREED UP FROM THE CITY AND REDIRECT IT? SEE WHAT I'M SAYING? JUST SHIFT IT SO THAT WE COULD HAVE --

I'M NOT SURE THAT I FULLY UNDERSTAND. WHAT WE HAVE RIGHT NOW IS A SERIES OF CONTRACTS HERE THAT WOULD BE FULLY CITY FUNDED AND THEN WE HAVE A CONTRACT, THE MARKETING CONTRACT, THAT WOULD BE FULLY COUNTY FUNDED AND THEN THE ASA CONTRACT WHICH IS --

WHAT I'M REALLY ASKING IS DO WE HAVE THE ABILITY TO -- TO REALLOCATE THAT -- THE \$890,000 OF THE COUNTY FOR

MARKETING TO THIS -- TO THIS TRANSITION FOR THE SUPPORT SERVICES OR WOULD WE HAVE TO -- WOULD WE HAVE TO SOMEHOW TAKE IT OUT OF ONE OF OUR CONTRACTS AND TRANSFER THAT BACK TO THE COUNTY? I JUST AND THE TO KNOW HOW MECHANICALLY TO DO IT.

I GUESS COUNCILMEMBER, I THINK THE BOTTOM LINE IS THAT -- IS THAT IF WE HAVE POLICY DIRECTION FROM -- FROM THE COUNCIL AND THE COMMISSIONERS COURT THAT'S CONSISTENT, WE CAN -- WE CAN STRUCTURE THIS ANY WAY NECESSARY TO -- TO CARRY OUT THE POLICY DIRECTION.

I KNOW THAT \$8,000 WON'T -- WON'T FILL THE GAP THAT THEY HAVE. BUT I THINK IT WOULD GO TOWARD A TRANSITION PLAN TO AT LEAST HELP THEM WITH THAT LEVEL OF SERVICE. THAT WAS MY INTEREST.

AS I UNDERSTAND IT, COUNCILMEMBER, WE HAVE BEEN FUNDING THEM AT ABOUT \$111,000 FOR THE INFORMATION AND REFERRAL OF PROGRAM. THAT AMOUNT OF MONEY IS BEING REMOVED 40,000 OF IT IS BEING REDIRECTED TO UNION UNITED WAY. SO THERE'S SOME -- SOME IN BETWEEN NUMBER THERE THAT REPRESENTS SOME OTHER SERVICES THAT ASA WAS PROVIDING WITH THEIR -- WITH THEIR INFORMATION AND REFERRAL PROGRAM THAT THEY VIEW --

THAT WAS MY CONCERN. FROM LOOKING AT IT, IT LOOKED TO BE NOT ONLY INFORMATION, BUT REALLY -- BUT REALLY A LEVEL OF CASE MANAGEMENT. YOU KNOW, THAT'S -- I GUESS I JUST DON'T WANT IT CUT WITHOUT SOME TRANSITION.

YEAH, I THINK THERE'S TWO ASPECTS TO THAT. IT WAS PART OF THEIR INTAKE PROCESS. THERE'S -- THERE'S ANOTHER CATEGORY WITHIN THE FUNDING THAT IS SPECIFICALLY CASE MANAGEMENT AND ASA IS BEING FUNDED AT PRETTY MUCH A COMPARABLE LEVEL AS THE PREVIOUS YEAR FOR -- FOR CASE MANAGEMENT.

COUNCILMEMBER MCCRACKEN?

YEAH. I GUESS MY COMMENTS ARE THAT -- THAT -- MY

CONCERN IS THAT WE HAD A SYSTEM WHERE WE -- WHERE WE NOW ARE DIRECTING MONEY AWAY FROM TREATMENT OF INDIVIDUALS WHO ARE FIGHTING H.I.V. AND AID AND DIRECTING IT TO AN AD CAMPAIGN. THE -- THE FOLKS IN THE TRENCHES, WHO ARE -- WHO ARE YOU KNOW WORKING TO -- TO TREAT FOLKS WITH AIDS AND TO MAKE SURE THAT PEOPLE WHO DISCOVER THEY ARE H.I.V. POSITIVE KNOW WHERE TO GO, THAT WE ARE DISRUPTING THAT SYSTEM AND WE DON'T HAVE BUY-IN FROM THE FOLKS IN THE TRENCHES WHO ARE DOING THE FRONT LINE WORK. I'M CONCERNED ABOUT A COUPLE OF THINGS. ONE IS THE POLICY SHIFT I THINK THAT'S SOMETHING THAT THE COUNCIL SHOULD PROBABLY BE ADDRESSING, WHETHER WE HAVE A POLICY DIRECTING THOSE FUNDS TO AD CAMPAIGNS OR TO -- OR TO -- TO DIRECT SERVICE PROVIDING PROVISION. THE OTHER POLICY CONCERN THAT I HAVE IS THE DECISION -- THE APPARENT POLICY DECISION TO EXCLUDE AIDS SERVICE PROVIDERS FROM THE INFORMATION AND REFERRAL CATEGORY. IT'S A POLICY THAT -- THAT -- THAT ON THE FACE OF I'M VERY UNCOMFORTABLE WITH. I DON'T -- I DON'T UNDERSTAND OR AGREE WITH THE RATIONALE AS I UNDERSTAND IT, BUT I DO THINK THAT IT'S A POLICY DECISION THAT WE IN THE FUTURE NEED TO MAKE UP FRONT BEFORE WE GET INTO THE IMPLEMENTATION OF WHO GETS THOSE FUNDS. I DON'T REALLY AT THIS POINT SEE THE VALUE OF SAYING AN AIDS SERVICES PROVIDER CAN'T PROVIDE INFORMATION AND REFERRAL FOR FAWBLTION WHO DISCOVERED THEY ARE AIDS OR H.I.V. POSITIVE. THEY HAVE THE ABILITY TO HELP PEOPLE ON THAT FIRST STEP OF A PERSONAL CRISIS IN THEIR LIFE.

MAY I COMMENTS, MAYOR?

PLEASE.

A COUPLE OF THINGS, AS I SAID EARLIER, THIS WAS PART OF AN INCLUSIVE PROCESS WITH A SET OF RECOMMENDATIONS THAT CAME OUT OF THAT PROCESS. AND THE -- I GUESS THE OTHER POINT THAT I WANT TO MAKE, I CAN CERTAINLY APPRECIATE THE CONCERNS ABOUT THE MEDIA CAMPAIGN, ALTHOUGH AGAIN WITH THIS INPUT FROM THIS PROCESS. IT WAS VERY EVIDENT THERE WAS A STRONG INTEREST IN

FOCUSING ON PRIMARY PREVENTION. I'M VERY RESPECTFUL THAT I WANT TO MAKE IT CLEAR TO EVERYBODY THAT THERE WAS NO INTENTION IN THIS ROSE TO REDUCE OR DENY SERVICES FOR PEOPLE WITH H.I.V. AND AIDS. IN FACT. WE THINK IF YOU LOOK AT IT IN TOTAL, THE NUMBERS OF PEOPLE POTENTIALLY REACHED, THE NUMBERS OF PEOPLE ACCESSING THE SYSTEM FOR CARE AND SERVICES IN ADDITION TO PREVENTION AND EDUCATION, HAS THE POTENTIAL TO INCREASE. BUT I RESPECT THE FACT THAT PEOPLE INTERPRET IT DIFFERENTLY, I WANT EVERYONE TO KNOW THERE WAS NO INTENTION IN THIS PROCESS NOR FROM THE DEPARTMENT'S PERSPECTIVE TO REDUCE IN ANY WAY ACCESS TO CARE AND SERVICES FOR PEOPLE WITH H.I.V. AND AIDS. THANK YOU.

MR. LOWRY, I KNOW THAT -- I KNOW THAT -- THAT YOU AND THE COUNTY HAVE -- HAVE AN INCREDIBLY CHALLENGING JOB TO DO THAT. I RESPECT THE WORK THAT YOU HAVE DONE. MAYBE FROM A PROCESS STANDPOINT I WOULD URGE AT LEAST FROM OUR PERSPECTIVE THAT AT LEAST ON SOME OF THESE POLICY DECISIONS THAT PERHAPS WE COULD COME FORWARD TO THE COUNCIL TO MAKE SHE'S POLICY DECISIONS ABOUT HOW WE ARE ALLOCATING OUR AIDS SERVICES DOLLARS BEFORE WE ACTUALLY GO THROUGH THE WHOLE REQUEST AND PROPOSAL STAGE SO THAT WE CAN AT LEAST HEAR FROM EVERYBODY UP FRONT AND MAKE THOSE DECISIONS. I KNOW THIS IS A LOT OF HARD WORK THAT YOU HAVE ALREADY DONE. I RESPECT THAT. I THINK IT MIGHT BE HELPFUL FOR THE PROCESS IF WE DO HAVE THAT POLICY INPUT BEFORE WE GET TO THE STAGE WHERE WE ARE TODAY. MAYOR, IT APPEARS THAT THERE ARE QUESTIONS ON -- IN TERMS OF THE PROCESS AND THE AMOUNT OF INFORMATION ABOUT THAT PROCESS. IT GIVES US THE OPPORTUNITY TO HAVE SOME OF THESE QUESTIONS ANSWERED. WE WILL ASK STAFF IF IT'S ALL RIGHT TO POSTPONE FOR ONE WEEK TO PROVIDE THAT INFORMATION TO THE COUNCIL. ALSO TO EXPLORE ANY OTHER OPTIONS IF INDEED THE POLICY DIRECTION IS DIFFERENT THAN WHAT WE HAVE CONSIDERED TODAY.

**Thomas:** I FEED TO. SINCE THERE IS ALL OF THIS MONEY GOING ON. I THINK THE REPORT SHOWS THAT -- THAT THE AFRICAN AMERICANS HAVE THE HIGHEST EFFECT WITH H.I.V.

ALSO I JUST NEED TO KNOW ON THE -- ON -- ALTHOUGH THAT 150,000, WHAT DID WE DO WITH -- WHAT ARE THEY DOING WITH THOSE FUNDS? WHILE YOU ARE DOING THAT, THE WRIGHT HOUSE WELLNESS CENTER, DO YOU HAVE A PERCENTAGE OF WHO ACTUALLY GOES TO THAT CLINIC?

I'M GOING TO ASK VINCE IF HE HAS DATA ON THAT. THERE ARE TWO PROGRAMS ON EVIDENCE BASED PREVENTION EDUCATION, OUTREACH, THE FIRST PROGRAM IS EXCLUSIVELY TARGETING 18-50-YEAR-OLD GAY BISEXUAL MALES, WHICH IS ALSO A HIGH RISK POPULATION FOR H.I.V. INFECTIONION. THE OTHER PROGRAM TARGET 18-50-YEAR-OLD AFRICAN AMERICAN GAY AND SEXUAL MALE, ALSO, A HIGH RISK POPULATION. THERE'S AN INCREASE IN THE -- IN THE WRIGHT HOUSE WELLNESS CENTER IN FUNDING AND THIS PROGRAM TARGETS AFRICAN AMERICAN WOMEN, PARTICULARLY SUBSTANCE ABUSERS, AND IS AN EXISTING PROGRAM THAT HAS SOME FUNDING FROM THE TEXAS DEPARTMENT OF HEALTH AND OUR LOCAL FUNDING WILL PROVIDE ENHANCEMENT FOR THAT. VINCE, DO YOU HAVE ANY DATA IN TERMS OF THE IT NECESSITY OR THE BREAKDOWN OF THE POPULATIONS SERVED BY WRIGHT HOUSE? WE DO HAVE BACKUP ON THAT COUNCILMEMBER.

**Dunkerley:** HOW MUCH DO THOSE TWO CONTRACTS INCREASE.

OVERALL BY \$80,000, AND THE WRIGHT HOUSE WELLNESS CENTER IS INCREASING BY 37,000.

WHILE WE WAIT FOR THAT INFORMATION, STAFF IS INFORMING THERE'S NO PROBLEM TO POSTPONE THESE TWO ITEMS FOR NEXT WEEK.

I'M GOING TO ASK VINCE TO COMMENT ON THE DATA IN TERMS OF CLIENT SERVICES.

I'M VINCE GOVALES DIRECTOR OF HUMAN SERVICES, IN MOST OF OUR PREVENTION PROGRAMS WE DON'T REALLY COLLECT DATA ON ETHNICITY BECAUSE THAT DATE IS USUALLY IS COLLECTED FOR CLIENTS. WE DO HAVE A DATA BASE THAT WE COLLECT CLIENT DATA FOR CASE MANAGEMENT AND OTHER CLIENTS IN THAT DATA BASE WE

HAVE FOR WRIGHT HOUSE OUT OF A TOTAL OF 378 CLIENTS, WE HAD 68 AFRICAN AMERICAN 93 HISPANIC, DIFFERENCE WAS IN WHITE -- IT'S HARD TO SAY SPECIFICALLY WHAT THOSE SERVICES WERE AND HOW THEY RELATE TO THESE SERVICES BECAUSE AGAIN IT'S COLLECTED MOSTLY FOR GRANT SERVICES.

**Thomas:** OKAY. SO THAT INFORMATION WOULD BE THE SAME FOR AIDS SERVICE OF AUSTIN, TOO?

YES.

OKAY, THANK YOU, SIR.

**Mayor Wynn:** COUNCILMEMBER SLUSHER?

**Slusher:** TO FOLLOW UP ON THAT, I HEARD ONE OF THE REPRESENTATIVES OF ASA [INDISCERNIBLE] MINORITY CITIZENS THAT THEY SERVE, COULD YOU GIVE ME THOSE NUMBERS?

[INDISCERNIBLE] IS GOING TO BRING THAT FORWARD. VINCE IS GOING TO BRING THAT FORWARD. OKAY. FROM THE SAME DATA BASE, IT LOOKS LIKE ABOUT -- ABOUT 351 OUT OF 1375 WAS BLACK OR AFRICAN AMERICAN. 307 WAS -- WAS HISPANIC. AND THE DIFFERENCES PRIMARILY WHITE AND OTHER. AND THE -- THE INFORMATION AND REFERRAL SERVICE, WE TOOK A SAMPLING, A ONE MONTH'S SAMPLING IN SEPTEMBER. AND -- AND IN THAT WE HAD OF 389, WE HAD 180 BLACK, 90 HISPANIC, AND THE REST WAS WHITE AND OTHER.

OUT OF HOW MANY, I'M SORRY?

OUT OF 389.

**Slusher:** OKAY. SO THAT'S A PRETTY HIGH PERCENTAGE ON BOTH OF THOSE.

YES, SIR.

**Slusher:** OKAY. WE ARE GOING TO POSTPONE IT A WEEK, YOU PROBABLY DON'T HAVE THIS OFF THE TOP OF YOUR

HEAD, MAYBE YOU DO, BUT HOW THOSE NUMBERS RELATE TO THE -- TO THE PERCENTAGE OF AIDS IN THE LOCAL POPULATION. BY ETHNIC GROUPS.

WE CAN CERTAINLY PROVIDE THAT FOR YOU. AGAIN IT'S IMPORTANT TO LOOK AT THE NUMBERS, BUT ALSO THE RATES AND THAT'S WHAT I WAS REFERRING EARLIER TO IT WAS THE RATES --

**Slusher:** YEAH, THAT NUMBER WOULD BE MORE RELEVANT, YES.

YES, SIR. AGAIN, MAYOR, IF I COULD JUST RE-EMPHASIZE THE POINT THAT THIS HAS BEEN A VERY INCLUSIVE PROCESS. WE HAVE SPENT OVER A YEAR WORKING THIS THROUGH WITH THE COMMUNITY. IN FACT WE PULLED BACK FROM AN EARLIER SET OF RECOMMENDATIONS BECAUSE OF FEEDBACK FROM THE COMMUNITY. ACTUALLY THE AMOUNT OF MONEY THAT WE PUT FORWARD FOR MEDIA CAMPAIGN AS ONE EXAMPLE. THE COMMUNITY ACTION NETWORK HELPED US IN TERMS OF FACILITATING A NUMBER OF FOCUS GROUPS. AS I SAID WE WENT THROUGH THAT PROCESS VERY EXTENSIVELY. ALSO PROVIDED A PRESENTATION LAST FALL TO THE HEALTH CARE SUBCOMMITTEE OF THE COUNCIL AND MAYBE WE AS STAFF NEED TO TAKE A LOOK AT THAT PROCESS AND BE THINKING MORE ABOUT -- ABOUT HOW WE PROCESS SOME OF THESE POLICY DECISIONS, YOU KNOW, WITH THE COUNCIL.

COUNCILMEMBER MCCRACKEN?

**McCracken:** I THINK THAT I DON'T BELIEVE WE SHOULD POSTPONE IT PAST TODAY. THE QUESTION THAT I HAVE IS WHETHER WE HAVE THE AUTHORITY TODAY TO REDIRECT THE \$80,000 FROM THE PROPOSED AD CAMPAIGN TO THE CASE MANAGEMENT CATEGORY, CAN WE DO THAT BY AMENDMENT TODAY? THAT WAS THE AMENDMENT THAT COUNCILMEMBER ALVAREZ HAD SUGGESTED. I WOULD SUPPORT THAT.

MAYOR, MAYBE IF I COULD TRY TO CLARIFY WHAT WE WERE DISCUSSING EARLIER IN TERMS OF PROCESS. AS I SAID WE TRIED TO SEPARATE THESE OUT FOR ADMINISTRATIVE

PURPOSES. WE HAVE NOT YET GONE TO THE COUNTY. SO IN EFFECT THERE'S BEEN NO DECISION AT THE COUNTY LEVEL IN TERMS OF WHICH CONTRACTS THEY WILL FUND AT WHAT LEVEL. SO IT WOULD BE POSSIBLE FOR THE COUNCIL TO MAKE A POLICY DECISION AND THEN US GO FORWARD TO THE COMMISSIONERS COURT TO -- TO SHARE THAT WITH THEM.

SO IN OTHER WORDS WE WOULD HAVE THE -- WE COULD BY AMENDMENT TODAY RESTORE \$80,000 IN FUNDING TO CASE MANAGEMENT. WE HAVE THAT AUTHORITY TODAY?

SURE. COUNCILMEMBER MCCRACKEN? I'M SORRY?

**Alvarez:** I GUESS WHAT I DON'T UNDERSTAND IF THERE ARE COUNTY FUNDS, HOW DO WE HAVE THE AUTHORITY TO ALLOCATE THOSE FUNDS? IT'S A TWO STEP PROCESS. \$940,000, THAT INCLUDES ABOUT 300 -- HOW MUCH IS THE COUNTY FUNDING? I'M SORRY. 3 -- 301,000 OF THE 940,000 IS COUNTY MONEY. WHAT WE HAVE DONE IS WE HAVE GONE THROUGH AN RFP PROCESS, LOOKED AT ALL OF THESE PROPOSALS, WE HAVE COME FORWARD TO THE CITY COUNCIL FIRST, WITH -- WITH THE SET OF RECOMMENDATIONS, THEN -- THEN WITH YOUR DECISION WE WILL GO OVER TO COMMISSIONERS COURT AND PRESENT THE RECOMMENDATIONS THERE. AND IT'S JUST -- IT'S JUST A COMBINED PACKAGE OF CITY AND COUNTY MONEY.

**Alvarez:** I THINK THAT'S -- I GUESS THAT I WOULD LIKE TO PUT A PROPOSAL ON THE TABLE, I KNOW THAT WE DISCUSSED THE POSSIBILITY OF POSTPONING, WHAT WOULD BE THE EFFECT OF POSTPONING ON THE PROVIDERS? SOMEBODY DESCRIBED THAT THERE WAS A NEED FOR US TO MOVE PRETTY QUICKLY TO MAKE A DECISION.

THE CONTRACTS CAN BE EXTENDED FOR ANOTHER MONTH OR WHATEVER PERIOD OF TIME IS REQUIRED TO COMPLETE THIS PROCESS. AND IT MAY SEEM A LITTLE COMPLICATED BUT IT IS SORT OF A JOINT DECISION MAKING PROCESS AND WE CAN'T PREDETERMINE YIEWB WHAT THE COUNTY IS GOING --, YOU KNOW, WHAT THE COUNTY IS GOING TO DO

AS THE -- AS WAS JUST REMINDED, WHATEVER YOUR DESIRE AS A POLICY PERSPECTIVE WE WILL CARRY THAT FORWARD WITH THEM. IF WE NEED MORE TIME WE WILL CONTINUE TO CONTRACT WITH THE EXISTING AGENCIES AT THE CURRENT LEVEL.

**Alvarez:** WHAT I WAS INCLINED TO DO BECAUSE OF -- BECAUSE OF WHAT WE HAD -- SORT OF TO DECIDE ON, WAS TO -- WAS TO -- TO BE THE I AND R MONEY THAT WAS -- THAT WAS SCHEDULED TO BE -- TO BE GRANTED TO UNITED WAY, BE ALLOCATED FOR AIDS SERVICES OF AUSTIN, I AND R WORK TO CURRENTLY DO AND THEN TO ASK THE COUNTY TO -- TO CONSIDER UTILIZING THE MONEY SET ASIDE FOR THE MEDIA CAMPAIGN TO FUND I AND R SERVICES FOR ASA. I THINK A COUPLE OF THE REASONS TO DO THAT, PART OF IT IS TO -- THE ESTABLISHED INFRASTRUCTURE AND EXPERTISE THAT ASA HAS THAT IT'S NOT JUST SORT OF A CALL NUMBER WHERE -- WHERE YOU CAN GET REFERRED SOMEWHERE ELSE. ALTHOUGH THAT DOES HAPPEN. I THINK THAT THERE'S -- I THINK A LOT OF WORK DONE WITH FOLKS WHO CALL IN TO DETERMINE SORT OF THE BEST PLACE TO GET SERVICES THAT -- PROVEN TRACK RECORD, EFFECTIVE TRACK RECORD AND CERTAINLY HAVE NAME RECOGNITION AND ARE EASY TO FIND IN THE PHONE BOOK FOR FOLKS WHO ARE LOOKING FOR AIDS SERVICES AND CERTAINLY THEY HAVE A REALLY GOOD RELATIONSHIP WITH OTHER PROVIDERS AND I THINK WHAT I'M AFRAID OF IS THAT YOU REMOVE THAT COMPONENT OF WHAT ASA DOES, IT'S ACTUALLY GOING TO AFFECT THESE OTHER PROVIDERS THAT WE ARE GIVING MORE MONEY TO DO MORE SERVICE BECAUSE TO A CERTAIN DEGREE I MEAN IT'S A SYSTEM, IT'S KIND OF A CONTINUUM AND I WOULD HATE TO SEE THAT -- THAT THE IMPACT IT MIGHT HAVE ON THE INFRASTRUCTURE THAT'S IN PLACE. NOT JUST, YOU KNOW, THE WORK THAT ASA DOES, BUT ALSO THE OTHER PROVIDER THAT'S ARE INTERCONNECTED AS WELL. SO THAT'S -- THAT'S SOMETHING THAT I WOULD LIKE THE COUNCIL TO CONSIDER. AND I -- IT APPEARS -- DO YOU WANT TO COMMENT ON THAT?

WELL, YEAH, COUNCILMEMBER. [ONE MOMENT PLEASE FOR CHANGE IN CAPTIONERS]

IS THE INTENT TO MAINTAIN THE INR PROGRAM WITHIN ASA

ITSELF OR IS IT TO TAKE THE INR MONEY AND OPEN IT UP TO A PROCESS THAT WOULD ALLOW FOR OTHER H.I.V./A.I.D.S. PROVIDERS TO SUBMIT PROPOSALS?

**Mayor Wynn:** COUNCILMEMBER MCCRACKEN.

**McCracken:** THAT IS A LOGISTIC KEL, PERSONAL MATTER, BUT ONE REASON I WOULDN'T WANT TO POSTPONE IT PAST THIS WEEKEND IS OUR OBSTETRICIAN IS GOING TO BE BORN NO LATER THAN NEXT THURSDAY, WHICH MEANS IT IS VERY UNLIKELY I WILL BE HERE NEXT WEEK. THIS IS SOMETHING I CARE ABOUT A LOT AND SO I'D LIKE TO TAKE IT UP TODAY IF POSSIBLE. AND MR. LURIE, ON THE QUESTION ABOUT INFORMATION REFERRAL, AT LEAST WHAT I WOULD LIKE TO SEE DONE IS TWO THINGS, BOTH OF WHICH YOU REFERRED TO. FIRST IS THAT WE ALLOW GOING FORWARD TO AIDS SERVICE ORGANIZATION PROVIDERS BE AVAILABLE TO MAKE PROPOSALS FOR THE INFORMATION REFERRAL FUNDS. FOR THIS YEAR'S CONTRACT I WOULD LIKE TO SEE THAT CONTINUE TO BE DONE BY AIDS SERVICES OF AUSTIN, BUT AS A POLICY MATTER GOING FORWARD, I WOULD ALSO LIKE TO MAKE SURE THAT WE DO NOT EXCLUDE AIDS SERVICES ORGANIZATIONS FROM BEING ABLE TO SUBMIT PROPOSALS FOR INFORMATION REFERRAL.

SO THEN COUNCILMEMBER, THAT WOULD BE TO HAVE A ONE-YEAR CONTRACT FOR THE INFORMATION REFERRAL AND THEN GO BACK OUT WITH A PROCESS IN THE SECOND YEAR?

**McCracken:** WHATEVER THE CONTRACT WE DO TODAY, IF IT'S A TWO-YEAR CONTRACT, LET'S RESTORE THOSE FUNDS TO AID SERVICES OF AUSTIN. THE NEXT TIME WE DO A CONTRACT GOING FORWARD, WHICH I GATHER IS IN TWO YEARS, THAT AS A POLICY MATTER I WOULD NOT WANT TO EXCLUDE AIDS SERVICES ORGANIZATIONS FROM HAVING THE OPPORTUNITY TO PRESENT REQUESTS FOR PROPOSALS FOR THAT CATEGORY.

AND JUST FOR CLARIFICATION, WHAT WE HAD PROPOSED IN THIS PACKAGE WAS A ONE-YEAR CONTRACT WITH TWO POTENTIAL EXTENSIONS. SO IN EFFECT THE POTENTIAL OF A

THREE-YEAR CYCLE.

**McCracken:** WHATEVER THAT CONTRACT IS, I'D RATHER HAVE THOSE FUNDS GO TO AIDS SERVICES OF AUSTIN ON HOW WE DIRECT THOSE FUNDS TODAY, BUT ALSO AS A POLICY MATTER THAT WE DO NOT EXCLUDE AIDS SERVICES ORGANIZATIONS PROVIDERS FROM BEING ABLE TO SUBMIT REQUESTS FOR PROPOSALS FOR INFORMATION REFERRAL.

**Mayor Wynn:** FURTHER COMMENTS, QUESTIONS?

**Slusher:** WELL, I CERTAINLY RESPECT COUNCILMEMBER MCCRACKEN'S REASONS FOR WANTING TO VOTE THIS WEEK, BUT THERE ARE A LOT OF PEOPLE -- IMPORTANT PARTS OF A LOT OF PEOPLE'S LIVES AT STAKE IN THIS, SO I WOULDN'T WANT TO RUSH INTO ANYTHING, ESPECIALLY WHEN THE SERVICES WOULDN'T BE INTERRUPTED IN THE MEAN MEANTIME. SO I GUESS IF WE'RE GOING TO PUSH FOR A VOTE, I NEED A LITTLE MORE CLARIFICATION. SO COUNCILMEMBER ALVAREZ AND MCCRACKEN, Y'ALL ARE PROPOSING THE SAME THING, I UNDERSTAND, WHICH IS TO - - THE \$80,000 JUST GOES BACK TO ASA? CORRECT? OKAY. AND IT DOESN'T ALTER THE ALLGO OR THE WRIGHT HOUSE FUNDING PROPOSAL? OKAY. AND THE THING THAT -- THE ONLY THING THAT REALLY BOTHERS ME ABOUT THAT IS SAYING THAT WE'RE GOING TO ASK THE COUNTY TO PUT MONEY IN A MARKETING CAMPAIGN OR WE'RE GOING TO FIND MONEY FOR THE MARKETING CAMPAIGN SOMEWHERE ELSE. WHERE DO WE PROPOSE TO DO THAT? OR IS THAT JUST SOMETHING WE'RE GOING TO SAY THAT WE REALLY CAN'T -- WE'RE DETERMINING THAT'S NOT THE IMPORTANT THING TO DO, THE MOST IMPORTANT THING TO DO?

**McCracken:** AT LEAST MY VIEWPOINT, COUNCILMEMBER SLUSHER, IS THAT WE HAVE A POLICY CHOICE. DO WE DEDICATE THAT \$80,000 TO TREATMENT OF FOLKS WHO ARE CURRENTLY BATTLING HIV AND AIDS OR DO WE DEVOTE IT TO AN AD CAMPAIGN. AND MY POLICY CHOICE IS THAT WE DEVOTE THAT TO THE FOLKS WHO HAVE HIV AND AIDS AND THAT WE WORK TO DEVELOP AN AD CAMPAIGN, BUT THE EFFECT OF OUR FUNDING DECISION, IF WE SHIFTED POLICIES TOWARDS ADS AS OPPOSED TO TREATMENT IS THAT THAT WOULD REDUCE THE TREATMENT DOLLARS

AVAILABLE FOR FOLKS WHO CURRENTLY ARE BATTLING HIV AND AIDS. THAT'S WHERE I COME DOWN ON THAT.

**Slusher:** I PROBABLY AGREE WITH THAT. I CERTAINLY THINK TREATING PEOPLE THAT ALREADY HAVE THE DISEASE IS MOST IMPORTANT, BUT I WOULDN'T JUST WANT TO -- THE OTHER PART OF IT THAT WE'RE WASTING MONEY ON TV BECAUSE THAT IS TRYING TO PREVENT OTHER PEOPLE FROM GETTING IT, AND IT'S IMPORTANT TOO. LET ME UNDERSTAND, MR. LURIE. IS THIS 80,000, IS THIS MONEY THAT WAS GOING INTO TREATING PATIENTS THAT WOULD NOW BE SHIFTED OVER, OR IS THIS MONEY FROM A DIFFERENT COLUMN? CLARIFY THAT FOR ME.

WELL, YES, IT'S HARD TO FOLLOW IT DIRECTLY BECAUSE THERE ARE ALL KIND OF TRADE-OFFS HAVING GONE THROUGH THIS PROCESS. FOR EXAMPLE, WE WERE INVESTING 111,000 IN INFORMATION SERVICE AT ASA. IN THIS PROPOSAL WE WOULD BE FUNDING INFORMATION REFERRAL AT 40,000. SO THAT FREEZE UP -- FREES UP MONEY THAT WAS SHIFTED OVER TO A LOT OF THESE OTHER AGENCIES. AND IT WAS IN THIS PROCESS OF SHIFTING MONEY AROUND -- ALSO, WE HAVEN'T EVEN TALKED ABOUT THERE WERE THREE OTHER AGENCIES THAT WERE RECEIVING FUNDING IN THE PAST THAT DIDN'T APPLY IN THIS PROCESS. AND I THINK IT WAS PARTLY CLOUDY BECAUSE OF THE CRITERIA IN THE R.F.P. AND ALSO BECAUSE OF THE LOW VOLUME OF SERVICES THAT THEY WERE PROVIDING. SO THAT MONEY GOT REDIRECTED. THERE WERE 68,000 AT PLANNED PARENTHOOD, 50,000 AT PEOPLE'S COMMUNITY CLINIC, 31,000 AT SECO, WHICH WENT OUT OF BUSINESS. SO I'M SORRY I CAN'T GIVE YOU A KIND OF ONE TO ONE EXPLANATION HERE BECAUSE IT ISN'T JUST A SIMPLE TRADE-OFF BETWEEN THE INFORMATION AND REFERRAL SYSTEM AT ASA AND UNITED WAY. THERE'S A WHOLE LOT OF OTHER VARIABLES THAT ARE INVOLVED IN THIS MIX THAT ARE REFLECTIVE OF THE WHOLE PRIORITY-SETTING PROCESS THAT WE WENT THROUGH. BUT AS I UNDERSTAND YOUR CONVERSATION, I THINK THE TWO THINGS THAT ARE OUTSTANDING RIGHT NOW ARE \$80,000 FOR THE MEDIA CAMPAIGN AND \$40,000 FOR UNITED WAY.

**Slusher:** OKAY. FAIR ENOUGH. I'LL YIELD. WHAT I'D LIKE -- I'D

LIKE TO HEAR COUNCILMEMBER DUNKERLEY'S VIEWS ON THIS AFTER SHE EXPRESSED SOME CONCERNS EARLIER. AND SHE'S HAD HOPEFULLY THE BENEFIT OF THIS DISCUSSION.

**Dunkerley:** I'LL SAY IT AGAIN, IT'S ALWAYS VERY DIFFICULT WHEN YOU START TO REALLOCATE FUNDS. AND MY CONCERN WITH THIS ALLOCATION IS THAT IT APPEARS TO ME THAT THERE WOULD BE A SIGNIFICANT REDUCTION AT THIS AGENCY OF SERVICES TO PEOPLE WITH HIV. NOW, THEIR INTAKE AND REFERRAL, FROM MY EXAMINATION OF IT, IS REALLY THAT PLUS ALMOST A CASE MANAGEMENT PROCESS. SO THAT WAS WHY I WAS INTERESTED IN TRYING TO AT LEAST GIVE THEM A TRANSITION TIME BECAUSE WHEN YOU SAY YOU'RE CUTTING 30% OF YOUR -- OF THIS PARTICULAR SERVICE, THAT'S REAL BODIES AND REAL PEOPLE WHO HAVE BEEN DOING REAL THINGS TO HELP PEOPLE. AND I THINK THERE NEEDS TO BE SOME SORT OF TRANSITION. ADDITIONALLY, EVEN THOUGH THEY ARE IN THE RUNNING FOR THE \$80,000 FOR MARKETING, THAT IS NOT MONEY THAT COULD BE USED FOR THIS DIRECT SUPPORT OF PEOPLE WITH AIDS. IT IS A DIFFERENT EFFORT, IT WILL REQUIRE DIFFERENT SKILLS AND DIFFERENT PEOPLE. SO I'M LOOKING AT IT FROM THAT PERSPECTIVE OF NEEDING -- IT IS QUITE A SIGNIFICANT CUT IF YOU LOOK AT IT OVERALL. AND I JUST THINK WE DON'T NEED TO CUT THAT PARTICULAR AREA AT THIS TIME. AND I WOULD RATHER BE ABLE TO DO AWM OF IT -- ALL OF IT, BUT AT THIS POINT I WOULD RATHER REDIRECT THE MARKETING TO CONTINUE THIS SERVICE AND THEN HOPE IN THE FUTURE WE CAN COME UP WITH OTHER FUNDS, EITHER FROM THE BUDGET OR WHATEVER TO DO THE MARKETING CAMPAIGN, WHICH I THINK IS IMPORTANT TOO, BUT AGAIN, IT'S MORE PREVENTION AND IDENTIFICATION OF ILLNESSES. AND I THINK WE NEED THE TRANSITION TO ACTUALLY SUPPORT THE FOLKS WITH HIV. DOES THAT HELP?

**Slusher:** YES, IT DOES.

**Mayor Wynn:** COUNCILMEMBER ALVAREZ.

**Alvarez:** REALLY JUST TO ADD I THINK IN RESPONSE TO COUNCILMEMBER SLUSHER'S QUESTION ABOUT OBVIOUSLY

THE NEED FOR OUTREACH THROUGH AN AD CAMPAIGN, I THINK PART OF WHAT THE APPROACH THAT WAS ARTICULATED AND WAS PRESENTED TO THE HEALTH CARE SUBCOMMITTEE WAS OBVIOUSLY MORE OF A FOCUS ON PREVENTION AND OUTREACH. AND I THINK IF WE ALL EMBRACE THIS, NO ONE AT THE HEALTH CARE SYSTEM WOULD SAY THAT'S NOT A GOOD APPROACH. AND I CERTAINLY APPRECIATE THE HARD WORK, THE WHOLE PROCESS THAT WE WENT THROUGH. AND WE'RE REALLY TRYING TO LOOK AT NOW WHERE WE ARE AND SORT OF THE POLICY IMPLICATIONS OF WHAT WE'RE CONSIDERING. I DO BELIEVE THAT WE ARE DOING -- BY ALLOCATING ADDITIONAL FUND FOR PROGRAMS WITH ALLGO AND THE WRIGHT HOUSE, WE ARE INCREASING THE SERVICES AND THE RESOURCES AVAILABLE TO AFRICAN-AMERICANS AND LATINO POPULATIONS. AND OBVIOUSLY I THINK AFRICAN-AMERICANS IS THE ONE THAT SEES THE MOST IN-- SEES THE MOST INCREDIBLE SPIKE IN THE NUMBER OF CASES. SO AS A RESULT OF HAVING MORE PROGRAMS AND MORE SERVICES AVAILABLE, THERE WILL BE, I THINK, MORE OUTREACH THAT IS BEING DONE. SO I THINK -- SO I DO THINK WE ARE DOING MORE OBVIOUSLY ON PREVENTION AND OUTREACH. LOOKING AT THE 80,000, AS COUNCILMEMBER MCCrackEN SAID, FROM A POLICY POINT OF VIEW, DO WE WANT TO DO THE MEDIA CAMPAIGN, WHICH MAY BE DESIRABLE, BUT NOT VITAL, PER SE, AND THAT HAS PRETTY MUCH KIND OF UNKNOWN BENEFITS. AND IN LOOKING AT WHAT MIGHT THAT PRODUCE IN TERMS OF THE LOSS IN THE INFRASTRUCTURE THAT WE ADD A SERVICE DELIVERY SYSTEM AS WELL AS, AGAIN, ANY POTENTIAL EFFECTS THAT WE MIGHT HAVE IN TERMS OF WHAT'S HAPPENING NOW AND WHAT I CONSIDER TO BE A PRETTY STRONG SYSTEM. AND I THINK THAT'S PART OF THE REASON THAT I'M SUPPORTING THIS APPROACH IS THAT I DO THINK WE ARE DOING MORE ON THE SIDE OF PREVENTION AND OUTREACH BASED ON THE WORK THAT HAS BEEN DONE AS THE POSE HAS UNFOLDED. -- AS THE PROCESS HAS UNFOLDED. BUT RIGHT NOW LOOKING AT THE IMPACT OF HOW WE ALLOCATE THE 80,000 TO THE MEDIA CAMPAIGN, I THINK WE GET A BETTER EFFECT, A BETTER IMPACT IF WE CAN TRY TO MAINTAIN THE SYSTEM THAT WE HAVE BECAUSE I THINK ALL OF THE OTHER PROVIDERS ARE KIND OF PLUGGED IN AND ALSO

WOULD SEE AN EFFECT IF THAT SYSTEM IS SOMEHOW LIMITED. BUT I JUST WANTED TO MAKE THE POINT REALLY IN TERMS OF OUTREACH THAT THERE WILL BE SOME ADDITIONAL OUTREACH, AND THAT IT'S DONE -- IT'S REALLY KIND OF LOOKING AT, WELL, WHAT DO WE FEEL WOULD BE THE BEST UTILIZATION OF THE FUNDS TO MAKE THAT PREVENTION AND OUTREACH HAPPEN?

**Mayor Wynn:** COUNCILMEMBER SLUSHER? FURTHER COMMENTS, QUESTIONS? I'LL ENTERTAIN A MOTION. A MOTION ON ITEM 6 AND/OR 7.

**Alvarez:** MAYOR, I GUESS WHAT I WOULD LIKE TO PROPOSE IS TO MAINTAIN THAT INR STRUCTURE THAT WE HAVE IN PLACE CURRENTLY WITH ASA IS TO USE THE FUNDING THAT WAS ALLOCATED, THE 40,000 THAT WAS ALLOCATED FOR I THINK IT WAS TRANSFER OF THAT SERVICE TO THE 211 SYSTEM. WE'RE USING THAT TO FUND THE INR SERVICES AT ASA, AIDS SERVICES OF AUSTIN, AND ALSO TO -- AND I DON'T KNOW IF THIS IS WHERE WE CAN -- WITH THIS ACTION WE CAN ALLOCATE THE MONIES WITH THE MEDIA CAMPAIGN TO ASA AS WELL OR ASK THE COUNTY TO CONSIDER UTILIZING THE MONIES SET ASIDE FOR THE MEDIA CAMPAIGN TO FUND THE INFORMATION AND REFERRAL SERVICES FOR AIDS SERVICES OF AUSTIN. SO I THINK AT THIS POINT, I'M NOT SURE CAN WE SAY WE WOULD LIKE TO ALLOCATE THE MONEY FOR THE INR SERVICES AT ASA OR CAN WE SAY THAT'S OUR RECOMMENDATION TO THE COUNTY THAT THEY CONSIDER ALLOCATING THOSE FUNDS FOR THAT INR FUNCTION?

SURE. I THINK THEY LOOK TO US IN TERMS OF A RECOMMENDATION, SO WE CAN CARRY THAT FORWARD TO THE COUNTY.

**Alvarez:** SO THEN MY MOTION WOULD BE TO, I GUESS, BASED ON THE RESOLUTION WE HAVE, I WOULD SAY IS PROBABLY TO REDUCE THE ALLOCATION TO UNITED WAY OF 40,000 TO ZERO, I SUPPOSE, AND THEN INCREASE THE AMOUNT FOR AIDS SERVICES OF AUSTIN BY THAT AMOUNT FOR THE INFORMATION AND REFERRAL SERVICES AND THAT WE ASK THE COUNTY TO CONSIDER UTILIZING THE MONEY SET ASIDE FOR THE MEDIA CAMPAIGN TO FUND INFORMATION

AND REFERRAL SERVICES FOR AID SERVICES OF AUSTIN. I'LL OFFER THAT AS A MOTION.

**McCracken:** I'LL SECOND THAT. COUNCILMEMBER ALVAREZ, ONE LAST QUESTION FOR CLARIFICATION. COULD WE ASK THAT THE \$80,000 BE DIRECTED TO CASE MANAGEMENT AS OPPOSED TO INFORMATION REFERRAL? THE 80,000 -- DID YOU WANT TO DO IT AS INFORMATION? INR? OKAY. I'LL SECOND IT AS PRESENTED.

**Mayor Wynn:** MOTION IS MADE BY COUNCILMEMBER ALVAREZ, SECONDED BY COUNCILMEMBER MCCRACKEN. I WILL NEED SOME HELP WITH THIS. WOULD THIS BE ITEM NUMBER 6 OR ITEM NUMBER 7?

THIS WOULD BE ITEM NUMBER 7. COULD I MAKE A REQUEST?

**Mayor Wynn:** YOU MAY.

WOULD IT BE POSSIBLE TO ASK ASA TO CONSIDER 24-HOUR ACCESSIBILITY FOR THIS INR SYSTEM?

BEFORE WE WOULD CONSIDER THAT, I WOULD LIKE TO SAY THAT IN TERMS OF -- [INAUDIBLE - NO MIC].

**Mayor Wynn:** CAN YOU GO TO THE MICROPHONE, PLEASE?

MR. LURIE, WE WOULD CERTAINLY ENTERTAIN THAT. I WOULD WANT SOME MORE INFORMATION SPECIFICALLY IN TERMS OF WHAT DATA THERE MIGHT BE IN TERMS OF HIV SPECIFIC QUESTIONS THAT ARE RECEIVED OUTSIDE OF NORMAL BUSINESS HOURS, BECAUSE OUR EXPERIENCE AT AIDS SERVICES OF AUSTIN WHERE WE HAVE BEEN PERFORMING THIS SERVICE, WE REALLY HAVE VERY FEW CALLS THAT WE GET THAT RIGHT NOW ARE CAPTURED ON VOICE MAIL THAT ARE OUTSIDE OF AGENCY HOURS REQUESTING SERVICES. AND TO MY KNOWLEDGE THERE REALLY AREN'T HIV AGENCIES THAT OPERATE OUTSIDE OF NORMAL BUSINESS HOURS, SO I THINK WE'RE REALLY LOOKING AT MORE EMERGENCY ACUTE TYPE SERVICES ANYWAY. SO I THINK WE WOULD NEED TO LOOK INTO HOW THIS FITS INTO THE CONTINUUM OF SERVICES IN THE

COMMUNITY.

NOT TO BELABOR THE POINT, BUT THIS WAS IDENTIFIED AS AN UNMET NEED. IT WAS BUILT INTO THE R.F.P. PROCESS BECAUSE WE WERE LOOKING FOR THIS TYPE OF AN ENHANCEMENT PERHAPS WHAT WE COULD DO, SINCE 211 HAS BEEN TAKING CALLS 24/7, WE COULD TALK WITH UNITED WAY TO SEE IF THEY HAVE ANY MECHANISM TO BE ABLE TO TRACK THE KINDS OF CALLS AND SEE WHETHER THEY'RE GETTING ANY CALLS RELATED TO H.I.V./A.I.D.S. AND SEE IF THERE'S SOME VOLUME THERE, THEN MAYBE SEE IF THAT WOULD WARRANT SOME SPAJS OF YOUR -- EXPANSION OF YOUR PROGRAM IN TERMS OF THAT ACCESS. THANK YOU.

**Mayor Wynn:** FURTHER COMMENTS OR QUESTIONS?

**Thomas:** ONE QUESTION, MAYOR, IF WE CAN. I'M GOING TO SUPPORT WHAT WE'RE TRYING TO DO, BUT I'M STILL CONCERNED IF WE'RE GOING TO MOVE THAT MONEY FROM THE -- CLARIFY THIS FOR ME FOR THE MAKERS OF THE MOTION. IF WE'RE GOING TO MOVE THE MONEY FROM THE MEDIA EFFORTS, CAN WE INSTRUCT THE CITY MANAGER MAYBE TO TRY TO FIND MORE MONEY TO PUT THE -- THE IMMEDIATE MEDIA EFFORT IS SOMETHING THAT IS VERY IMPORTANT TO ALL PEOPLE THAT ARE INVOLVED WITH HIV. COULD I ADD THAT TO YOUR -- DID Y'ALL CATCH THAT? IF THE CITY MANAGER COULD FIND WAYS OF LOCATING FUNDS, OTHER FUNDS FOR THE MONEY THAT YOU'RE MOVING TO -- FROM THE MEDIA.

**McCracken:** I'M CERTAINLY INTERESTED IN UNDERTAKING THAT INVESTIGATION. AND AS WE GO FORWARD THROUGH THE BUDGET PROCESS FOR NEXT YEAR, I THINK THAT'S CERTAINLY SOMETHING THAT WE SHOULD CONSIDER.

**Alvarez:** BUT -- SO YEAH, I GUESS I WOULD ACCEPT THAT AS A FRIENDLY AMENDMENT, BUT I JUST WANT TO MAKE SURE I KNOW WHAT THE AMENDMENT IS AS TO --

**Thomas:** THE 80,000 YOU'RE TALKING ABOUT?

**Alvarez:** IDENTIFY FUND FOR --

**Thomas:** MEDIA.

**Alvarez:** MEDIA CAMPAIGN.

**Thomas:** RIGHT. IS THAT CLEAR?

AT SOME LEVEL.

**Thomas:** OKAY.

**McCracken:** I ACCEPT THAT ALSO.

**Mayor Wynn:** MAYOR, --

**Goodman:** MAYOR, RELATIVE THAT, I WAS THINKING ABOUT THAT ISSUE TOO. AND IT SEEMS LIKE THERE MAYBE GRANTS EITHER FROM OTHER GOVERNMENTAL LEVELS OR EVEN PRIVATE ONES FOR SUCH AN UNDERTAKING. IT'S A PRETTY FOCUSED PROJECT AS OPPOSED TO A LONG-TERM PROGRAM, SO IT MIGHT BE EASIER THAN MOST.

**Mayor Wynn:** THANK YOU. FURTHER COMMENTS? MOTION ON THE TABLE THAT AS I UNDERSTAND IS ON ITEM NUMBER 7 TO APPROVE THE BROAD RECOMMENDATIONS WITH A COUPLE OF CHANGES, THAT BEING REDUCING THE PROPOSED FUNDING TO UNITED WAY BY THE \$40,000 IN AND REDIRECTED TO AIDS SERVICES OF AUSTIN FOR ADDITIONAL CASE MANAGEMENT.

INFORMATION REFERRAL.

**Mayor Wynn:** OKAY. INFORMATIONAL SERVICES. AND ASK THE COUNTY TO REDIRECT SOMETHING.

**Alvarez:** THE COUNTY TO CONSIDER UTILIZING THE MONEY SET ASIDE FOR THE MEDIA CAMPAIGN TO FUND INFORMATION AND REFERRAL SERVICES FOR ASA.

**Mayor Wynn:** MR. LURIE, IS THAT CLEAR ENOUGH IN THE DIRECTION? CITY MANAGER? OKAY. MOTION IS MADE BY COUNCILMEMBER ALVAREZ, SECONDED BY COUNCILMEMBER MCCRACKEN. FURTHER COMMENTS?

**Thomas:** AND THEY AGREED TO WHAT I SAID, RIGHT?

YES.

**Thomas:** YOU DIDN'T READ THAT OUT. I WANTED TO MAKE SURE THAT WAS IN THERE.

**Mayor Wynn:** THAT'S BEEN ACCEPTED. FURTHER COMMENT? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

**Mayor Wynn:** OPPOSED? MOTION PASSES ON A VOTE OF SEVEN TO ZERO. SO DID WE NEED TO TAKE UP ITEM NUMBER 6? ITEM NUMBER 6, I'LL RECOGNIZE MR. LURIE JUST AS A BRIEF EXPLANATION OF THE DIFFERENTIAL BETWEEN THESE TWO ITEMS.

WELL, AS I MENTIONED EARLIER, WE HAVE ABOUT EIGHT MILLION DOLLARS THAT WE ADMINISTER IN TERMS OF AIDS AND HIV-RELATED SERVICES. AND THIS IS SIMPLY A RENEWAL OF THE RYAN WHITE TITLE III FUNDING, AND JUST TO KIND OF GIVE YOU A SENSE OF THE SERVICES, THIS INCLUDES SOME MONEY FOR OUTREACH THROUGH MHMR, DENTAL SERVICES AT AIDS SERVICES OF AUSTIN, 159,000. COMMUNITY ACTION, 77,000 FOR OUTPATIENT MEDICAL CARE, PRESCRIPTIONS, MENTAL HEALTH AND SO FORTH. 516,000 THAT GOES TO THE DAVID POWELL CLINIC FOR MEDICAL CARE AND PRESCRIPTIONS. AND THEN 14,000 FOR SOME COUNSELING AND TESTING AND OUTREACH WITHIN THE HEALTH AND HUMAN SERVICES COMMUNICABLE DISEASE UNIT FOR A TOTAL AMOUNT OF I BELIEVE IT'S \$894,000. SO THIS WOULD BE APPROVAL OF RENEWAL OF THIS ALLOCATION OF THE RYAN WHITE FUNDING FOR THE CURRENT CALENDAR YEAR. AND THE RECOMMENDATIONS FOR THE RYAN WHITE FUNDING COME FORWARD FROM THE PLANNING COUNCIL. SO IT'S PRIMARILY TREATMENT AND CARE.

**Mayor Wynn:** THANK YOU, MR. LURIE. ADDITIONAL QUESTIONS FOR STAFF, COUNCIL? IF NOT, I'LL ENTERTAIN A MOTION ON ITEM NUMBER 6.

**Alvarez:** MOVE APPROVAL, MAYOR.

**Mayor Wynn:** MOTION BY COUNCILMEMBER ALVAREZ. SECONDED BY COUNCILMEMBER THOMAS. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.?

AYE.

**Mayor Wynn:** OPPOSED? MOTION PASSES ON A VOTE OF SIX TO ZERO WITH COUNCILMEMBER MCCRACKEN -- MAKE THAT SEVEN TO ZERO, COUNCILMEMBER MCCRACKEN IN THE ROOM. THANK YOU, COUNCIL. LET'S SEE. COUNCILMEMBER SLUSHER, YOU HAD PULLED ITEM NUMBER 2.

**Slusher:** I THINK WE CAN GET THAT ONE OUT OF THE WAY, MAYOR. THANK YOU, MR. LIPPY. THIS IS THE FEASIBILITY STUDY FOR THE CENTRAL TEXAS REGIONAL WATER TREATMENT PLANT. A NUMBER OF AGENCIES PARTICIPATING, INCLUDING THE LCRA, THE GUADALUPE AND BLANCO RIVER AUTHORITY, SAN ANTONIO RIVER AUTHORITY, SAN ANTONIO WATER SYSTEM AND THE CITY OF AUSTIN. AND I THINK -- I AGREE WITH YOUR POINT THAT A STUDY LIKE THIS TAKING PLACE, THE CITY OF AUSTIN SHOULD BE AT THE TABLE. I DO HAVE SOME PRETTY SERIOUS CONCERNS ABOUT INTERFACE AND TRANSFER, ESPECIALLY MAJOR INTERBASE AND TRANSFERS THAT WILL LIKELY END UP BEING IF WE DID END UP BEING IN A REGIONAL PLANT, AND I THINK WE SHOULD BE THERE FOR THE DISCUSSIONS. I WANTED TO GET THESE FOUR ELEMENTS OFF THE TABLE, THE CONDITIONS THAT THE CITY MANAGER PUT FORWARD THAT ARE IN YOUR MEMO. AND THESE ARE -- THE OTHER PARTIES WERE GOING INTO THAT WITH THESE CONDITIONS. WHAT'S THE STATUS EXACT STAKTLY ON THE --

GOOD MORNING, MAYOR AND COUNCIL. MY NAME IS CHRIS LIPPY, THE DIRECTOR OF AUSTIN WATER UTILITY. COUNCILMEMBER, THESE FOUR ITEMS WERE COMMUNICATED TO LCRA WHEN THEY WERE ASKING IF WE WERE INTERESTED IN PARTICIPATING IN THIS STUDY. SO THESE ITEM WERE COMMUNICATED AND LCRA CONFIRMED BACK THAT THESE -- THEY UNDERSTOOD THESE ITEMS,

THESE CONDITIONS WOULD BE MET. SHUSH SLUSH LET ME GO AHEAD AND GET THOSE ON THE RECORD. THE AREA CONSIDERED FOR POTENTIAL PLANT SITES WOULD NOT INCLUDE AREAS OVER THE HE HAD HE HAD RECHARGE OR CONTRIBUTING ZONES. THE PROPOSED PLANT WOULD NOT SERVE OTHERS AREAS OVER THE EDWARD'S AQUIFER. THE AREA TO PARTICIPATE IS ONLY THE FEASIBILITY STUDY PHASE AT THIS TIME. AND THE STUDY PROCESS WOULD BE OPEN TO INVOLVEMENT THROUGHOUT THE DURATION OF THE PROJECT. THUS THE CITY PARTICIPATION WOULD INCLUDE INVOLVEMENT ON ACTIVITIES SUCH AS FINAL SCOPING, DATA AND DOCUMENT REVIEWS, WORKSHOPS AND DRAFT, AND FINAL DELIVERABLE REVIEWS.

THAT'S GREAT. THE ONLY CLARIFICATION IN THE RESPONSE TO THESE CONDITIONS WAS A REMINDER THAT, OF COURSE, CITY OF SAN ANTONIO IS GREATLY OVER THE EDWARD'S AQUIFER, AND SO IT'S CLARIFIED THAT WE'RE TALKING ABOUT THE NORTHERN EDWARD'S PORTION OF THE AQUIFER.

**Slusher:** OKAY. THAT DID CROSS MY MIND AS I READ THROUGH THEM. OKAY. WELL, I'M A STRONG BELIEVER IN REGIONAL PARTICIPATION. I'M INVOLVED IN A NUMBER OF THINGS WITH SAN ANTONIO, THE COMMUTER RAIL DISTRICT FOR ONE AND TRYING TO GET A WATER QUALITY PLAN FOR THE REGION OVER THE NORTHERN PART OF THE AQUIFER, THAT YOU JUST REFERENCED, SO I'LL GO INTO THIS WITH AN OPEN MIND, BUT WITH THE RESERVATIONS THAT I ALREADY STATED. SO THANK YOU. I'LL YIELD THE FLOOR, MAYOR.

**Mayor Wynn:** COUNCILMEMBER SLUSHER?

**Slusher:** I'M DONE.

**Mayor Wynn:** FURTHER QUESTIONS, COMMENTS? HEARING NONE, I'LL ENTERTAIN A MOTION ON ITEM NUMBER 2.

MOVE APPROVAL.

**Mayor Wynn:** MOTION MADE TO APPROVE ITEM NUMBER 2 BY COUNCILMEMBER ALVAREZ, SECONDED BY COUNCILMEMBER MCCRACKEN. FURTHER COMMENTS?

HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

**Mayor Wynn:** OPPOSED? MOTION PASSES ON A VOTE OF SEVEN TO ZERO. LET'S SEE, COUNCIL, WE HAVE A FEW MINUTES BEFORE OUR NOONTIME CERTAIN. I'M TRYING TO LOOK THROUGH WHAT WE MIGHT CAN TAKE UP. WITH THAT WE'LL CALL UP ITEM NUMBER 27, WHICH IS AN ITEM FROM COUNCIL REGARDING DESIGN STANDARDS. AND I'LL RECOGNIZE COUNCILMEMBER MCCRACKEN.

**McCracken:** THANK YOU, MAYOR. WE HAVE A LITTLE POWERPOINT PRESENTATION DEMONSTRATING WHAT WE ARE WORKING TO ACHIEVE ON THIS. WHEN WE FIRST STARTED LOOKING AT THE ISSUE DOING DESIGN UPGRADE FOR COMMERCIAL AND RETAIL FACILITIES AND STORES HERE IN AUSTIN, ONE OF THE FIRST THINGS WE FOUND OUT TO OUR SURPRISE IS AUSTIN ACTUALLY HAS THE LOWEST DESIGN STANDARD OF THE COMMUNITIES IN THIS REGION AND THAT WE ARE A REAL -- WE REALLY LAG BEHIND CITIES NOT JUST FROM THE STATE OF TEXAS, BUT AROUND THE COUNTRY. SO WHAT WE'RE GOING TO DO IS A LITTLE POWERPOINT PRESENTATION SHOWING THAT NATIONAL RETAILERS ARE ROUTINELY BUILDING TO A HIGHER STANDARD ALL OVER -- IN FACT, IN THIS METRO AREA RETAILERS ARE BUILDING TO A HIGHER STANDARD THAN THEY ARE BUILDING IN THE CITY OF AUSTIN. THEY'RE BUILDING TO A HIGHER STANDARD ALL OVER THE COUNTRY. THE FIRST THING YOU SEE IS WE SEE AN ABANDONED BIG BOX STORE. AND THIS IS ALONG 183. WHAT YOU SEE IS THESE STORES ARE VERY HARD TO RELEASE. THEY BECOME WHAT'S KNOWN AS GRAY FIELDS. WE LOSE SALES TAX REVENUES WHEN YOU HAVE LOW QUALITY BUILDING STRUCTURES WITHOUT ANY OF THE DESIGN AMENITIES THAT RETAILERS ARE ROUTINELY PROVIDING AROUND THE REST OF THE COUNTRY. WHAT WE'VE SEEN ALSO -- THIS IS A COMPARISON OF LOWE'S. ON TOP THAT IS A BRAND NEW LOWE'S STORE HERE IN AUSTIN THAT WAS OPENED ON MOPAC. THE PICTURE BELOW IS OF A STORE THAT LOWE'S IS DOING IN ANOTHER AREA. IN FACT, WE FIRST PROPOSED THESE DESIGN AREAS, THE ASSISTANT COUNTY MANAGER OF FLOWER MOUND CONTACTED US TO TELL US THAT

LOWE'S WAS DOING A PARTICULARIZED DEVELOPMENT IN FLOWER MOUND BECAUSE OF THEIR HIGHER DEVELOPMENT STANDARDS THAT HAS A RANCH STYLE DEVELOPMENT AND LIMESTONE. THIS IS A TARGET HERE IN SOUTH AUSTIN. AND YOU'LL NOTICE THAT IT HAS NO WINDOWS OR DESIGN ARTICULATION. BUT TARGET, FOR INSTANCE, IS DOING MULTI-STORY BUILDINGS, STORES WITH UNIQUE URBAN DESIGNS ALL OVER THE COUNTRY. AND IN FACT, WE SEE AN EXAMPLE OF A TARGET STORE HERE. THAT'S THE DRAWING OF IT, THAT PROJECT IS IN PROCESS, BUT YOU SEE THAT IS A MULTI-STORY TARGET, THAT IS A SUBURBAN STEIN ACTUALLY, NOT IN AN URBAN CORE DESIGN. WHAT WE SEE IS AN ALBERTSON'S STORE HERE IN AUSTIN ON NORTH 183. THERE ARE NO TREES IN THE PARKING LOT. IT'S YOUR CLASSIC BIG BOX DESIGN WITH NO WINDOWS OR ARTICULATION. AND THAT IS ACTUALLY A BRAND NEW ALBERTSON'S BUILT IN ROLLINGWOOD. IT JUST SHOWS THAT ALBERTSON'S FOR INSTANCE, WILL BUILD STORES WITH ARTICULATION, NATIVE STONE MATERIALS AND WINDOWS HERE IN THE AUSTIN METRO AREA, BUT BECAUSE THE CITY OF AUSTIN HAS SUCH LOW DESIGN STANDARDS, WE GET LESSER BUILDINGS THAN ROLLINGWOOD DOES. WE SEE TO OUR LEFT IS AN EXAMPLE OF YOUR STANDARD KIND OF BLUE, COOKIE CUTTER WAL-MART BIG BOX STORE IN SOUTH AUSTIN. AND YOU'LL NOTICE THAT THE STORE -- THAT COULD BE IN SOUTH AUSTIN, BUT IT COULD BE ANYWHERE IN AMERICA. YOU HAVE NO IDEA WHAT CITY YOU'RE IN WHEN YOU HAVE THAT GENERIC ARCHITECTURE. TO YOUR RIGHT WE SEE A WAL-MART THAT WAS BUILT IN CALIFORNIA IN PALM DALE. ACTUALLY, WAL-MART IS NOW DEVELOPING MULTI-STORY STRUCTURES AND THEY'RE DEVELOPING STRUCTURES WITH UNIQUE URBAN DESIGNS ALL OVER THE COUNTRY. WHAT WE SEE IS THE WALL GREEN'S THAT IS IN WESTLAKE HILLS ON BEE CAVE ROAD, WHICH IT'S PROBABLY A FEW HUNDRED YARDS FROM THE CITY OF AUSTIN CITY LIMITS. THIS STORE HAS NATIVE LIMESTONE, ARTICULATION, TIN ROOFS. IT'S A UNIQUE DESIGN THAT FITS THE CHARACTER AND ARCHITECTURAL STYLE OF THIS REGION. AND WHAT YOU SEE IS A WALL GREEN'S THAT ONCE AGAIN IT COULD BE ANYWHERE IN AMERICA. IN THIS PARTICULAR CASE IT'S IN NORTHWEST AUSTIN. THERE'S SUBSTANTIALLY LESS LANDSCAPING AND YOU IS YOUR COOKIE CUTTER

GENERIC DESIGN AND THAT'S BECAUSE AUSTIN HAS LOWER DESIGN STANDARD HAN WESTLAKE HILLS. WHAT WE SEE IS YOUR CLASSIC GENERIC MCDONALDS STORE ON YOUR LEFT. THIS ONE HAPPENED HAPPENS TO BE AT THE INTERSECTION OF LAMAR AND RIVERSIDE OR MAYBE IT'S BARTON SPRINGS ROAD. BUT THAT COULD BE A MCDONALD'S ANYWHERE IN AMERICA. ONCE AGAIN, THE PROLIFERATION OF THESE COOKIE CUTTER GENERIC STORES MAKE AUSTIN LOOK LIKE ANYWHERE ELSE IN AMERICA. ON THE RIGHT IS A MCDONALD'S IN WESTLAKE HILLS WHICH HAS BRICK AND NATIVE LIMESTONE. IT MOVED THE PLAY AREA TO THE REAR OUT OF THE SIGHT. THIS PICTURE DOESN'T REFLECT IT, BUT LANDSCAPING HIDES THE DRIVE THROUGH. ONCE AGAIN, IT DEMONSTRATES THAT EACH A NATIONAL RETAILER LIKE MCDONALD'S WILL BUILD TO A CONSIDERABLY HIGHER STANDARD IF THE COMMUNITY SEEKS THAT HIGHER STANDARD, BUT BECAUSE AUSTIN HAS SUCH LOW DESIGN STANDARDS WE GET THE COOKIE CUTTER GENERIC VERSION THAT LOOKS LIKE ANYWHERE ELSE IN AMERICA. WHAT WE SEE IN AUSTIN IS THAT WE HAVE OOMS VERY LOW STANDARDS RELATING TO COMMERCIAL SIGNS. WE GET THE VISUAL BLIGHT THAT ONCE AGAIN LOOKS LIKE ANY KIND OF STRIP CENTER ANYWHERE IN AMERICA AND CREATES A GENERIC CITY LOOK. THESE ARE EXAMPLES FROM WESTLAKE HILLS THAT THIS IS THE TREND THAT COMMUNITIES ALL OVER TEXAS AND ALL OVER THE NATION ARE SETTING WHICH PLACE THE SIGNS LOWER TO THE GROUND. RETAILERS CAN AND REGULARLY DO THIS. THIS IS NOT SOMETHING UNUSUAL. IT'S HAPPENING ALL OVER AMERICA AND INCLUDING IN OUR METRO AREA. WHAT WE SEE ON THE LEFT IS SOMETHING THAT WE'RE ADDRESSING IN THE RESOLUTION BEFORE US TODAY. THAT IS ON THE LEFT A BRAND NEW LOWE'S THAT HAS BEEN OPEN LESS THAN A YEAR. WHAT YOU SEE IS THE LOWE'S HAS ITS LOADING DOCK AND ALL OF ITS ROOFTOP AIR CONDITIONING EQUIPMENT AND SUCH, AND ITS TRASH FACING THE ROAD, UNDISGUISED, NO WALLS, NO LANDSCAPE BUFFER, AND THAT'S BECAUSE THE CITY OF AUSTIN STANDARDS ARE SO LOW THAT WE DON'T REQUIRE THAT. ON YOUR RIGHT, BELIEVE IT OR NOT, IS ONE OF THE LARGEST SHOPPING CENTERS IN THIS REGION, THE VILLAGE AT WESTLAKE. THAT IS THE VIEW FROM THE ROAD AT

VILLAGE OF WESTLAKE. THERE ARE NO SIGNS. ALL OF THE MECHANICAL APURT UNANIMOUS, ALL OF THE LOADING DOCK IS DISFWIESED FROM THE ROAD. THAT IS AN ENORMOUSLY SUCCESSFUL SHOPPING CENTER OFF TO THE RIGHT. NOW WE'RE GOING TO TALK ABOUT SOME OF THE GOOD THINGS THAT DEVELOPERS ARE DOING ACTUALLY WITHIN THE CITY OF AUSTIN. THIS IS THE SLOT SCHLOTSKY'S ON SOUTH LAMAR. THE INTERESTING THING IS THAT IS A UNIQUE DESIGN BECAUSE ONE OF THE ADVANTAGES OF HAVING HIGHER DESIGN STANDARDS IS THAT IT ENCOURAGES INNOVATION AND DIFFERENT DESIGNS RATHER THAN THE COOKIE CUTTER, GENERIC BUILDINGS THAT WE GET IN AUSTIN NORMALLY. THAT IS THE SCHLOTSKY'S THAT SHOULD THEY EVER CHOOSE TO MOVE, THAT WOULD BE EASILY USABLE BY SOME OTHER RETAILER FOR VIRTUALLY ANY OTHER PURPOSE. AND THAT IS JEFFERSON SQUARE ON 35TH STREET NEAR MOPAC. YOU NOTICE THAT IT'S ANOTHER EXAMPLE OF EXCELLENT URBAN DESIGN UP NEAR THE CURB AND ATTRACTIVE ARCHITECTURE. AND THEN THIS IS AN EXAMPLE OF A BIG BOX STORE HERE IN AUSTIN, TEXAS THAT IS HIGH QUALITY DESIGN AND ALSO HAS THE ADVANTAGE THAT BECAUSE IT DOESN'T FIT INTO A GENERIC DESIGN, IT CAN BE REUSED BY SOME OTHER FUTURE RETAILER, AND IN FACT, THIS WILL HAPPEN VERY SOON WHEN OUR AUSTIN-BASED FORTUNE 500 COMPANY, WHOLE FOODS, MOVES ACROSS THE STREET. BECAUSE THAT BUILDING IS OF A HIGH QUALITY AND HIGH ARCHITECTURAL DESIGN, IT WILL BE EASY TO HAVE ANOTHER TENANT MOVE INTO THAT SPACE BECAUSE THIS IS AN ATTRACTIVE BUILDING THAT USES TOP FLIGHT URBAN DESIGN PRINCIPLES.

> IN SHORT, ONE OF THE THINGS WE'VE LEARNED IN THIS PROCESS, WHICH WE'VE BEEN ENGAGING IN SINCE NOVEMBER, IS AUSTIN HAS THE LOWEST DESIGN STANDARDS THAN ANY COMMUNITY IN THIS REGION AND AMONG THE LOWEST IN THE STATE. WE DISCOVERED THAT IN THE CITY OF HOUSTON THE WALL STREET JOURNAL RECENTLY REPORTED THAT HOUSTON'S FAILURE TO PAY ATTENTION TO THE AS AT THE TIME STICKS OF ITS BUILT ENVIRONMENT AND PARTICULARLY IT'S COMMERCIAL AND RETAIL, HAS ACTUALLY NOT ONLY HURT THE QUALITY OF

LIFE IN HOUSTON, BUT IT HAS HURT THEIR EFFORTS TO ATTRACT BUSINESS. IT COST THEM THE 2012 OLYMPICS BECAUSE PEOPLE THINK THE CITY IS TOO UGLY BECAUSE OF THE BUILT ENVIRONMENT BEING SO UGLY. SO IT HAS A NEGATIVE EFFECT ON THE QUALITY OF LIFE FOR AUSTINITES, BUT IT ALSO HURTS OUR ECONOMY. AND IN FACT, THESE NATIONAL RETAILERS ARE DOING INNOVATIVE STORES IN THIS REGION, WE ONLY NEED TO LOOK AT THE ALBERTSON'S, THESE NATIONAL RETAILERS ARE DOING INNOVATIVE DESIGNS ALL OVER THE COUNTRY. AND THIS DOES NOT LEAD TO MAKING HIGHER STANDARDS DOES NOT MEAN THAT EVERY STORE WILL LOOK THE SAME, AND OF COURSE, WE ARE PROPOSING THAT WE PRODUCE MORE DIVERSITY OF DESIGN. THIS STORE, THIS ALBERTSON'S HERE ON BEE CAVE ROAD, IT COULD BE ANYTHING. AND BECAUSE ROLLINGWOOD HAS HIGHER STANDARDS THAN AUSTIN, THEY GET UNIQUE DESIGNS AND A HIGHER QUALITY BUILT ENVIRONMENT. THERE'S AN ECONOMIC REASON FOR WHAT WE ARE PROPOSING TO DO, AND THAT IS THAT WHEN YOU HAVE ABANDONED BIG BOX STORES THAT ARE OF SUCH LOW QUALITY THAT NO ONE WANTS TO MOVE INTO THEM LIKE WE SAW ON 183, IT CREATES WHAT ARE KNOWN AS GRAY FIELDS, AREAS THAT ARE ESSENTIALLY UNRELEASABLE, YOU LOSE SALES TAX BASE. IT IS -- IT BECAUSE MORE MERCHANTS WOULD RATHER GO TO A MORE ATTRACTIVE DEVELOPMENT THAT WILL BRING CUSTOMERS IN. WHAT WE ARE PROPOSING TODAY IS NOT ONLY SUPPORTED BY NEIGHBORHOODS AND URBAN PLANNERS, IT'S ACTUALLY SUPPORTED BY REAL ESTATE DEVELOPERS TOO, INCLUDING THE REAL ESTATE COUNCIL OF AUSTIN, WHO FOLKS FROM THE REAL ESTATE COUNCIL HAVE BEEN WORKING WITH US ON THIS AS WELL. EVERYBODY RECOGNIZES THAT IT IMPROVES QUALITY OF LIFE, BUT IT PROVIDES A BETTER ECONOMY TOO. WE'RE TALKING ABOUT DOING THREE THINGS IN THIS PROPOSAL. THE FIRST IS TO QUICKLY UPGRADE THE MINIMUM DESIGN STANDARDS TO GET AUSTIN OUT OF LAST PLACE. WE'RE ALSO TALKING ABOUT SOMETHING BEYOND THAT, AND THAT IS A TWO-STAGE WORK ON CORRIDOR IMPROVEMENT. WE'LL DO GENERAL CORRIDOR IMPROVEMENT, SET STANDARDS FOR CORRIDORS BASED ON CORRIDOR TYPE, FOR INSTANCE, BURNET ROAD WOULD HAVE -- STREETS LIKE

BURNET AND LAMAR AS URBAN STREET CORRIDORS WOULD HAVE DIFFERENT STANDARDS THAN SAY 360 OR 620 OR 130 AS SCENIC UNDEVELOPED CORRIDORS. AND WE'LL ALSO GO TO AN INTENSE ACTIVE CORRIDOR BY CORRIDOR ANALYSIS. THIS IS CONSIDERED GOOD PLANNING ALL OVER THE COUNTRY. AND THERE'S ACTUALLY TWO OTHER IMPORTANT REASONS TO DO THIS. THE FIRST BEING THAT WHEN WE LOOK AT THE AMOUNT OF FUNDS AVAILABLE IN THE NEXT 25 YEARS FOR TRANSPORTATION PURPOSES VERSUS THE AMOUNT OF MONEY WE WILL NEED TO KEEP THINGS, AS BAD AS THEY ARE, THE STATE OF TEXAS' OWN NUMBERS REFLECT THAT THE AUSTIN AREA WILL HAVE SOMEWHERE IN THE RANGE OF 300 MILLION PLUS ANNUAL SHORTAGE IN AVAILABLE TRANSPORTATION FUNDS. SO ONE OF THE THINGS WE NEED TO DO IN THESE CORRIDOR ANALYSES IS TO LOOK AT THE TRANSPORTATION ISSUES AFFECTING THE CITY BECAUSE LAND USE PLANNING IS GOING TO PLAY A VERY EFFECT ON THE TRANSPORTATION DECISIONS WE MAKE IN THE FUTURE AND HOW WE CLOSE UP 300-MILLION-DOLLAR GAP, ANNUAL GAP OVER THE NEXT 25 YEARS. AND ALSO AS THE ENVISION CENTRAL TEXAS PROCESS DEMONSTRATED, THERE IS OVERWHELMING SENTIMENT IN THIS COMMUNITY THAT WE START DEVELOPING A MORE MODERN URBAN DESIGN OF LAND DEVELOPMENT LIKE MOST OTHER CITIES DO AS OPPOSED TO MOVING -- OUR CURRENT POLICY PRODUCES SPRAWL AND THIS NEED FOR MASSIVE TRANSPORTATION EXPENDITURES, WHEREAS ENVISION CENTRAL TEXAS AND THE RESIDENTS OF THIS AREA SAID THEY HAVE A DIFFERENT VISION OF HOW WE SHOULD OPERATE. THAT'S WHY THIS CORRIDOR PLANNING IS SO CRITICAL. FINALLY, AUSTIN SHOULD NOT ACCEPT BEING IN LAST PLACE. WE SHOULD NOT ACCEPT HAVING THE LOWEST DESIGN STANDARDS IN THIS REGION. THERE'S NO GOOD REASON FOR IT. WHAT WE GET WITH OUR CURRENT DESIGN STANDARDS IS WE GET THE BOTTOM OF THE BARREL. WE GET STORES THAT ARE NOT ONLY VISUALLY UGLY, BUT THEY'RE UNUSABLE WHEN THEY GET ABANDONED, WHICH ACTUALLY ENCOURAGES SUBURBAN SPRAWL. WHAT WE ARE PROPOSING TO DO TODAY, WE'LL CHANGE THAT AND CREATE A POLICY DECISION THAT AUSTIN MOVE FROM BEING LAST IN THE BOTTOM OF THE BARREL TO ADOPTING THE BEST PRACTICES THAT ARE ALREADY BEING USED BY

COMMUNITIES AND BY NATIONAL RETAILERS ALL OVER THE COUNTRY. AND WITH THAT I'LL YIELD.

**Mayor Wynn:** THANK YOU, COUNCILMEMBER. VERY IMPRESSIVE PRESENTATION. THE VISUALS SPEAK FOR THEMSELVES. FURTHER COMMENTS, QUESTIONS? COUNCILMEMBER SLUSHER.

**Slusher:** I ENJOYED THAT. THOUGHT IT WAS VERY INTERESTING MYSELF. THEY WERE PRETTY CLEAR EXAMPLES. YOU HAD SAID REPEATEDLY IT'S BECAUSE OF THE DESIGN STANDARD OF THE SURROUNDING COMMUNITIES, AND SO I'M THINKING THAT SO THE DEVELOPMENT COMMUNITY, REAL ESTATE COMMUNITY WON'T BE ASKING FOR INCENTIVES, FINANCIAL INCENTIVES IN ORDER TO IMPROVE DESIGN? THAT'S NOT PART OF THIS?

**McCracken:** ABSOLUTELY NOT, COUNCILMEMBER. WE ARE ASKING -- THESE NATIONAL -- FOR INSTANCE, THE MAIN THING IS THAT THE LOW DESIGN STANDARDS ARE DRIVEN BY THE NATIONAL RETAILERS BECAUSE THE NATIONAL RETAILERS TYPICALLY HAVE THEIR COOKIE CUTTER, BOTTOM OF THE BARREL FOR COMMUNITIES THAT DON'T HAVE ENOUGH SELF RESPECT TO REQUIRE MORE. NATIONAL RETAILERS TO THEIR CREDIT WILL ROUTINELY DESIGN UNIQUE AND INNOVATIVE DESIGNS THAT DO NOT ASK FOR INCENTIVES, NOR SHOULD THEY, NOR SHOULD WE GIVE THEM. AND SO THE NATIONAL RETAILERS ARE WILLING TO PAY MORE AND THEY DO IT ALL OVER THE COUNTRY, BUT NOT IN AUSTIN TO BUILD NICER STORES. SO WHAT WE'RE TALKING ABOUT DOING IS WHAT OTHER COMMUNITIES ARE ALREADY DOING AND DEION IT WITHOUT INCENTIVES. OTHER COMMUNITIES DO NOT GIVE INCENTIVES FOR THIS EITHER.

**Slusher:** OKAY. I WOULD OFFER THIS UP AS ANOTHER EXAMPLE OF HOW SOMETIMES RHETORIC DOESN'T CORRESPOND TO REALITY AND THAT AUSTIN IS KNOWN, SUPPOSEDLY, SO TOUGH ON DEVELOPERS AND THE REAL ESTATE INDUSTRY, AND THAT'S CERTAINLY NOT THE THEME OF YOUR PRESENTATION.

**McCracken:** NO, IT WASN'T. AND TO THE CREDIT OF THE REAL ESTATE COUNCIL, THEY DO SUPPORT THIS. I THINK

EVERYBODY HAS LEARNED IN THIS PROCESS THERE'S NO GOOD REASON TO BE IN LAST PLACE.

**Mayor Wynn:** FURTHER COMMENTS? MAYOR PRO TEM?

**Goodman:** AS WE MOVE ALONG THE WAY OF TRYING TO FIND OUT WHERE THE FINE LINES ARE, I JUST WANTED EVERYBODY TO KNOW UP FRONT THAT I DON'T NECESSARILY THINK HIDING A PLAYSCAPE IS WHAT WE'RE AFTER, BUT WE DO NEED TO FIND THE -- BIND THE ATMOSPHERE AND THE ACCESSIBILITY AND THE FEELING THAT WE'RE TRYING TO ENCOURAGE. IF I HAD A NICKEL FOR EVERY TIME FOLKS IN THIS COMMUNITY HAVE DISCUSSED DESIGN ISSUES OVER THE YEARS, I COULD TAKE US ALL OUT TO LUNCH EVERYDAY, EVERYBODY IN THE ROOM. BUT IT IS GOING TO BE AN INTERESTING PROCESS BECAUSE THERE ARE ISSUES TO DISCUSS. WHEN YOU TALKED ABOUT NO SIGNS AND NO VISIBILITY OF THAT ONE SHOPPING CENTER, I COULD HEAR PEOPLE'S STOMACH CLINCH IN SOME PLACES WONDERING HOW THEY'RE GOING TO LET THEIR BUSINESSES BE KNOWN AS FAR AS ACCESSIBILITY. SO IT'S GOING TO BE VERY INTERESTING, I THINK VERY POSITIVE, AND I APPRECIATE EVERYBODY WHO IS GOING TO BE INVOLVED BECAUSE IT'S NOT SOMETHING THAT WE HAVE INDULGED IN BEFORE. AND I'D ENCOURAGE YOU ALL TO GO READ THE CITIZEN PLANNING COMMITTEE REPORT, THE FIRST ONE THAT CAME OUT. TOWARD THE BACK OF THE BOOK IS A DESIGN STATEMENT BY AN ARCHITECT -- I'M NOT SURE IF HE STILL LIVES HERE. I DON'T SEE HIM MUCH ANY MORE. BUT HE MADE THE POINT VERY REAL AND VERY EASY TO UNDERSTAND ABOUT WHY DESIGN WILL DECIDE WHETHER WE HAVE A LIVEABLE CITY OF THE FUTURE OR NOT. SO THANKS FOR DOING THIS.

**McCracken:** MAYOR, I JUST WANT TO ADD THE MAYOR PRO TEM HAS BEEN WORKING ON THIS FOR OVER A DECADE, AND HAS BEEN PART OF THE IMPORTANT HEEDER SHIP TO MAKE THIS HAPPEN -- LEADERSHIP TO MAKE THIS HAPPEN. I KNOW FOR EFERG I'VE BEEN DOING, I'M GOING TO CONTINUE TO RELY ON HER AND HER EXPERIENCE IN TRYING TO MAKE THIS A QUALITY BUILT ENVIRONMENT, GET UP TO WHERE IT SHOULD BE AND BE AMONG THE BEST IN THE COUNTRY.

**Mayor Wynn:** FURTHER COMMENTS, QUESTIONS? HEARING NONE, ALL THOSE IN FAVOR OF ITEM 27, PLEASE SAY AYE.

AYE.

**Mayor Wynn:** OPPOSED? MOTION PASSES ON A VOTE OF SEVEN TO ZERO.

[INAUDIBLE - NO MIC].

**Mayor Wynn:** I'M SORRY, COUNCIL, WE CAN -- WE HAD A CITIZEN SIGNED UP ON ITEM 27. I WOULD LIKE TO RECOGNIZE MR. ROSS SUBMITTED. I APOLOGIZE, MR. SMITH.

THANK YOU. MOST OF WHAT I WAS GOING TO SPEAK TO YOU ABOUT WAS COVERED AS FAR AS SPECIFIC ELEMENTS OF DESIGN WERE COVERED IN THE POWERPOINT. SO I'D LIKE TO LOOK AHEAD JUST A LITTLE BIT TO WHEN YOU ACTUALLY GET DOWN TO WRITING THE RULES. MY HUNCH IS WHAT YOU'RE GOING TO FIND IS THAT PEOPLE WHO BUILD DEVELOPMENTS AROUND THE CITY ARE GOING TO GIVE RATHER EASILY ON AESTHETIC ELEMENTS SUCH AS SHIELDING AND LANDSCAPING AND FACADES AND WHATNOT AND REALLY PUT UP A FIGHT OVER MAJOR STRUCTURAL DESIGN REQUIREMENTS SUCH AS THE ONE THEY SHOWED, THE TARGET THAT IS TWO STORIES TALL AND USES A HIDDEN PARKING GARAGE INSTEAD OF SURFACE PARKING. SO WHAT I WOULD ENCOURAGE YOU IS THAT'S WHERE THE RUBBER HITS THE ROAD. THAT'S ALSO WHERE THE MAIN COST FOR THESE PEOPLE COMES IN. AND THAT'S WHERE THEY ARE GOING TO REALLY SQUAWK WHEN YOU START TO WRITE THE RULES. SO WHAT I WOULD ASK YOU IS PLEASE STICK TO YOUR GUNS. THESE FOLKS ARE USED TO DEALING WITH THESE KINDS OF REQUIREMENTS AROUND THE REST OF THE COUNTRY, AND THERE'S NO REASON WHY THEY CAN'T LIVE WITH THEM HERE. THANK YOU.

**Mayor Wynn:** THANK YOU, MR. SMITH. I APOLOGIZE FOR MISSING YOUR CARD. SO ITEM NUMBER 27 PASSES ON A VOTE OF SEVEN TO ZERO. AND WE NOTE SOME COMMENTS AND CONCERNS FROM A CITIZEN ABOUT ULTIMATELY THE RULES THAT WE'LL START TRYING TO WRITE AND PUT IN PLACE. WITH THAT, COUNCIL, WE HAVE 10 MINUTES BEFORE

OUR NOONTIME CERTAIN. HOPEFULLY WE COULD TAKE UP ITEM NUMBER 40 IN ADVANCE. ITEM NUMBER 40 IS THE ITEM FROM COUNCIL REGARDING DECLARING TEXAS INDEPENDENCE DAY ONE OF THE SEVERAL CITY SPONSORED PARADES AND EVENTS. AND I CAN'T REMEMBER WHETHER A COUNCILMEMBER ACTUALLY PULLED THIS. I WANT TO INTRODUCE COUNCILMEMBER MCCRACKEN.

**McCracken:** MAYOR, WE JUST HAD AN ARTICLE IN A PRESS CONFERENCE BY ANOTHER ELECTED OFFICIAL EARLIER THIS WEEK MAKING STATEMENTS THAT MY UNDERSTANDING WERE FACTUALLY UNTRUE. SO I JUST WANTED TO GET SOME CLARIFICATION FROM CITY STAFF OF WHAT THE TRUTH REALLY IS REGARDING THIS COUNCIL'S DECISION HERE IN JANUARY ON WAIVING FEES SINCE THE MAYOR AND THE MAYOR PRO TEM AND MYSELF SPONSORED AND WE VOTED UNANIMOUSLY TO WAIVE THE FEES AND SOMEHOW WE'RE BEING TOLD THAT INSTEAD WE'RE RAISING THE FEES. I WOULD LIKE A BRIEFING FROM STAFF OF WHAT'S ACTUALLY HAPPENED IN THE LAST FEW MONTHS. ONTHS.

MAYOR AND COUNCIL, MY UNDERSTANDING IS THE ACTION THAT COUNCIL PREVIOUSLY TOOK WAS FEE WAIVERS, WHICH IS DIFFERENT THAN THE CO-SPONSORSHIPS OF THE OTHER ITEMS. THAT'S WHAT CAUSED THE CONFUSION. SO CLEARLY WE DID -- COUNCIL APPROVED A FEE WAIVER ACTION, WHICH IS APPROXIMATELY \$2,000 IN FEE WAIVERS, BUT THAT IS DIFFERENT THAN THE OTHER ITEMS ON THE PREVIOUS RESOLUTION FROM OCTOBER OF 2002. THAT WAS WHERE ALL FEES AND IN KIND COSTS ARE ALSO WAIVED.

**McCracken:** MR. GARZA, CAN YOU GIVE US THE CHRONOLOGY HERE IN THE LAST TWO MONTHS OF WHAT WAS REQUESTED OF US IN TERMS OF FEE WAIVERS AND WHAT THE COUNCIL'S RESPONSE WAS? MR. LIBRACH?

COUNCIL, MY NAME IS AUSTAN LIBRACH, DIRECTOR OF TRANSPORTATION AND SUSTAINABILITY. I THINK I HAVE MAY INFORMATION THAT WOULD PERTAIN TO YOUR QUESTION. IN RECENT PAST THERE HAVE BEEN ABOUT FIVE OR SIX EVENT THAT I BELIEVE THE COUNCIL HAS WAIVED FEES OR REIMBURSED FEES. AND I'LL LIST THEM AND GIVE YOU THE

APPROXIMATE AMOUNTS. MLK DAY PARADE, THERE WAS 100-DOLLAR APPLICATION THAT WAS REIMBURSED, A 200-DOLLAR PERMIT FEE AND \$33 FOR SOUND FOR A TOTAL OF \$333. THERE WAS ALSO BARRICADES AND OTHER ITEMS PROVIDED BY SOUTH WAY SERVICES AND A.P.D. SO THE TOTAL OF THE -- FOR THAT EVENT WAS \$3,121 AND SOME CHANGE. THE NEXT ONE THE VETERAN'S DAY PARADE. VERY SIMILAR. THE TOTAL FOR THAT ONE WAS \$6,975. I'M GOING TO MISPRONOUNCE THIS, I THINK, DEIZ Y SEIS EVENTS. DID I REALLY BOTCH THAT?

**Mayor Wynn:** YES.

SORRY, COUNCIL, AND THE COMMUNITY. THAT WAS \$9,310. THE JUNETEENTH PARADE WAS A LITTLE BIT MORE, \$1,500 FOR PERMIT FEES AND APPLICATION. AND THERE WAS \$5,100 FOR A.P.D., \$500 FOR E.M.S., \$500 FOR SOLID WASTE SERVICES, \$2,500 FOR BARRICADE, \$3,246 FOR PARK POLICE AND SEVERAL OTHER FOR A TOTAL OF \$17,470. AND THEN THERE WAS THE 911 PARADE, AND THAT ONE, SIMILAR SORTS OF SPECIFICS FOR \$11,642. AND THEN LAST YEAR'S CELEBRATE TEXAS PARADE AND RUN, I CAN GIVE YOU THAT, WAS \$14,972. I THINK THAT'S THE QUESTION YOU'VE ASKED.

**McCracken:** IT'S NOT ACTUALLY. I ASKED WHAT DID THE COUNCIL DO IN THE LAST TWO MONTHS ABOUT THIS PARADE EVENT? THAT'S WHAT I WAS TRYING TO FIND OUT. I MENTIONED A CHRONOLOGY OF WHAT HAS HAPPENED IN THE LAST TWO MONTHS BECAUSE MY -- I HAVE A VERY DIFFERENT UNDERSTANDING FROM WHAT THIS STATESMAN ARTICLE AND FROM WHAT THE -- AT LEAST WHAT ONE OF THE ELECTED OFFICIALS CLAIM WE DID. THAT DOES NOT COMPORT WITH WHAT MY EXPERIENCE ON THE COUNCIL WAS.

LET ME TRY AGAIN. I THINK I HAVE JUST SPECIFICALLY FOR THIS PARTICULAR EVENT FOR THE LAST COUPLE OF MONTHS. \$283 WAS GIVEN IN REIMBURSEMENT AND \$1,783 WAS GIVEN IN WAIVERS FOR THE PARADE AND RUN FOR 2004.

**McCracken:** OKAY. MAYBE THE CITY MANAGER IS HERE BECAUSE SHE HAS GIVEN ME A VERY DETAILED CRON

CHRONOLOGY OF EVERYTHING THAT HAPPENED AND I'M NOT HEARING IT TODAY.

I THINK ONE OF THE ISSUES THAT CAME UP ON THIS EVENT THAT WAS TALKED ABOUT WAS THAT THE NATURE OF THE EVENT HAD CHANGED IN TERMS OF THE DAYS THAT THEY WERE REQUESTING THE EVENT TO RUN ON, BEING TWO DAYS RUNNING, AND SO THAT CHANGED THE FEES. I THINK THAT WAS ONE THE OTHER ISSUES. WHAT PARTICULAR INFORMATION WERE YOU LOOKING FOR?

I'D LIKE THE CITY MANAGER TO GIVE THE SAME RECOUNT TO EVERYBODY THAT SHE GAVE TO ME TWO DAYS AGO BECAUSE IT WAS VERY HELPFUL AND INFORMATIVE. THAT'S WHAT I THOUGHT I WAS GOING TO GET JUST NOW.

**Mayor Wynn:** THE CITY MANAGER IS IN THE HOUSE.

**McCracken:** GREAT.

YOU GAVE ME A VERY THOROUGH ANALYSIS A COUPLE OF DAYS AGO AND IT WAS VERY HELPFUL OF MY UNDERSTANDING OF WHAT HAPPENED THE LAST TWO MONTHS. IT WOULD HELP THE PUBLIC KNOW BECAUSE I THINK THERE IS CONSIDERABLE MISINFORMATION ABOUT WHAT HAS HAPPENED AND THAT IT WOULD BE HELPFUL I THOUGHT IF YOU COULD MAYBE RELY WHAT YOU HAD TOLD ME AS WELL.

WELL, I THINK THERE'S BEEN A LOT OF MISUNDERSTANDING ABOUT WHAT ACTUALLY OCCURRED, BUT WHAT LITTLE BIT MIGHT HELP IS THAT THE EVENT LAST YEAR WAS AN EVENT THAT WAS COMBINED, A PARADE AND A RUN THAT WAS COMBINED ON ONE DAY. THE FIGURES THAT HAVE BEEN USED WAS THAT THE EVENT COST ABOUT \$5,000. OUR NUMBERS SHOW THAT THAT WAS PROBABLY CLOSER TO ABOUT 8,000 OR SO. SO A LITTLE BIT MORE THAN THAT LAST YEAR. THIS YEAR THE EVENT THAT WAS PRESENTED TO US WAS AN EVENT THAT WAS SPREAD OVER TWO DAYS, SO THE PARADE WAS ON ONE DAY AND THE RUN WAS ON ANOTHER DAY. AND OF COURSE THAT GREATLY INCREASES THE COST OF BOTH POLICE AND BARRICADES THAT ARE RENTED NOT JUST FOR ONE DAY, BUT FOR TWO DAYS. AND SO WHEN THE

PAPER REPORTED, FOR EXAMPLE, THAT THE PRICE HAD DOUBLED, WELL, IT DOUBLED BECAUSE THE EVENT WAS NOT A ONE DAY EVENT, BUT IT WAS NOW A TWO DAY EVENT. COUNCIL BROUGHT FORTH A FEE WAIVER AND YOU WAIVED EVERYTHING BUT BARRICADE AND POLICE OVERTIME. YOU WAIVED AND REIMBURSED FOR BOTH EVENT A LITTLE OVER \$2,000 ON THE EVENT. SO THAT'S SORT OF A BRIEF HISTORY OF WHAT YOU'VE DONE TO DATE.

**McCracken:** AND SO MY UNDERSTANDING IS THAT THE COUNCIL COMMUNICATED TO THE EVENT SPONSORS THAT WE WERE WILLING TO SPONSOR THE ENTIRE EVENT AND THAT THE SPONSORS KNEW THIS INFORMATION AT THE TIME THEY HELD THEIR PRESS CONFERENCE THIS PAST TUESDAY, BUT DID NOT PASS ON THE INFORMATION AND CHOSE NOT TO GO AHEAD WITH THE EVENT. IS THAT TRUE?

WELL, I BELIEVE THAT SEVERAL COUNCIL OFFICES, IN ADDITION TO A VISIT THAT I HAD, HAD COMMUNICATED THE FACT THAT THIS ITEM WOULD BE POSTED AND IN FACT AT THE TIME OF THE PRESS CONFERENCE THE ITEM WAS POSTED TO BE UP FOR ACTION ON THE COUNCIL SPONSORSHIP. SO WHAT THE ITEM YOU HAVE IN FRONT OF YOU TODAY IS THE DECISION ON WHETHER OR NOT TO MAKE IT A FULLY FUNDED COUNCIL SPONSORED ITEM IN FUTURE YEARS.

**McCracken:** IN FACT, AT THE TIME THAT THIS ARTICLE CAME OUT ON TUESDAY OR WEDNESDAY AND THE PRESS CONFERENCE THAT WAS HELD BEFORE THEN, AT THE TIME OF BOTH OF THAT AND THE PRESS CONFERENCE, THE SPONSORS KNEW THAT THE COUNCIL, THAT WE WERE GOING TO SPONSOR THIS AND THAT WE ALREADY HAD IT ON THE AGENDA, IS THAT RIGHT?

YES, IT WAS BOTH POSTED AND SEVERAL CONTACTS HAD BEEN MADE THROUGH SEVERAL DIFFERENT COUNCIL OFFICES. I BELIEVE, MAYOR PRO TEM, YOUR OFFICE HAD MADE A CALL. THE MAYOR AND I HAD DONE A VISIT AND HAD TALKED ABOUT THE FACT THAT WE WERE WORKING ON GETTING SPONSORSHIP. AND IT WAS ACTUALLY POSTED AT THE TIME OF THE EVENT.

**McCracken:** THERE'S A STATEMENT IN THE NEWSPAPER ARTICLE ATTRIBUTED TO ONE OF THE BOARD MEMBERS THAT THEY ARE STATING THE FACT THAT THIS LATE JANUARY THAT THE COUNCIL DECIDED TO CHARGE THE GROUP \$11,800 IN CITY COST FOR THE EVENT. DID THE COUNCIL EVER MAKE A DECISION TO CHARGE THE SPONSOR OF THE EVENT THIS MONEY?

I THINK ALL THAT WAS TRYING TO SAY WAS THAT THAT'S THE PRICE OF ALL THE DIFFERENT REQUIREMENTS OF FEES AND INSURANCE AND BARRICADES AND POLICE AND SECURITY FOR A TWO-DAY EVENT. WHAT THE COUNCIL ACTUALLY DID WAS WAIVE A SIGNIFICANT PORTION OF THOSE FEES, LIKE I SAID, EVERYTHING, ALL THE MISCELLANEOUS FEES, EVERYTHING I BELIEVE BUT PRIMARILY BARRICADES AND POLICE OVERTIME.

**McCracken:** THANK YOU.

**Slusher:** I'VE GOT A QUESTION. MS. FUTRELL, WE HAD HEARD FROM SOME OF OUR STATE REPRESENTATIVES AND SENATOR ON THIS, BUT DOES THE STATE PUT ANY MONEY INTO THIS PARADE?

**Futrell:** I HONESTLY CAN'T ANSWER THAT. I'M NOT SURE. WHAT THE STATE ARRANGEMENT IS. THAT CERTAINLY IS THE FULL COST OF PUTTING ON A PARADE OR AN EVENT IN TOWN? I SUPPOSE THE ORGANIZING THAT HAPPENS IS PART OF THE HEAVY LIFTING THAT HAS TO BE DONE.

**Slusher:** HAS ANYONE BEEN IN CONTACT WITH THE STATE?

**Thomas:** I'D ALSO LIKE TO ASK ANOTHER QUESTION WHEN HE GETS THROUGH.

**Slusher:** SO THE --

**Futrell:** BUT IT IS AN ENTHUSIASTIC GROUP OF PEOPLE THAT HELP PUT THIS EVENT ON EVERY YEAR.

**Slusher:** I UNDERSTAND IT IS. AND COUNCILMEMBER MCCRACKEN RAISED -- POINTED OUT THIS ITEM WAS ALREADY POSTED WHEN THE ANOWPSMENT THAT THE --

ANOWNGSMENT THAT THE PARADE WAS GOING TO BE CANCELLED AS FAR AS WHAT WE'VE BEEN THROUGH AS FAR AS THE FEES THAT WERE CHARGED, BUT DO YOU KNOW IF THE PARADE IS GOING TO GO ON IF THE FEES ARE WAIVED?

**Futrell:** IN THE CONTACT THAT I HAD, MY QUESTION WAS WHETHER OR NOT IT WOULD GO ON THIS YEAR IF WE WENT - - IF THIS ACTION OCCURRED TODAY WITH THE COUNCIL? AND THE INFORMATION I GOT WAS THE DECISION HAD ALREADY BEEN MADE TO CANCEL THE EVENT FOR THIS YEAR, BUT -- AND THEN WE HAD CONVEYED BACK THAT WE WOULD BE TAKING THIS IN FRONT OF COUNCIL FOR SPONSORSHIP FOR FUTURE YEARS.

**Slusher:** AND AT THAT TIME THE DECISION WAS MADE -- THIS ITEM WAS ALREADY ON THE AGENDA?

**Futrell:** THE ITEM WAS ON THE AGENDA WHEN THE NEWS CONFERENCE WAS HELD. AT THE TIME MY CONTACT WAS, IT WAS A DAY BEFORE IT WAS POSTED ON THE AGENDA OR A WEEKEND BEFORE IT WAS POSTED ON THE AGENDA.

**Slusher:** OKAY. THAT'S ALL I HAVE.

**Mayor Wynn:** COUNCILMEMBER THOMAS.

**Thomas:** YES, ON THE INAUGURATION ON THE NEW GOVERNMENT OF TEXAS, WHO PICKS UP THAT WHEN WE DO THE PARADE OR WHATEVER? DOES THE STATE GET INVOLVED IN THAT WHEN THE GOVERNOR IS SWORN IN?

**Futrell:** COUNCILMEMBER, I DON'T KNOW. I CAN GET YOU THAT INFORMATION. I DON'T SPECIFICALLY KNOW. I KNOW THAT THE EVENTS ARE DIFFERENT WHEN IT IS A POLITICAL EVENT. IT IS DIFFERENT, WHAT WE'RE ABLE TO CHARGE WHEN IT IS A PURE POLITICAL EVENT.

**Thomas:** CAN WE FIND OUT DO THEY HAVE FUND FOR THAT THAT THEY SET ASIDE?

**Futrell:** I CAN GET YOU THAT INFORMATION.

**Thomas:** WE'VE BEEN GETTING A LOT OF E-MAILS FROM

FRIEND AND EVERYBODY ELSE. I DON'T THINK WE AS A COUNCIL EVER SAID THAT WE'RE NOT SUPPORTING THIS PARTICULAR EVENT.

I KNOW. WE LOOKED ALMOST UNTEXAN, DIDN'T WE?

**Thomas:** JUST A LITTLE BIT. I HAD A CLOSE FRIEND OF MINE THAT SAID I WASN'T A TEXAN ANY MORE. I WANTED TO CLARIFY THAT.

**Futrell:** I THINK THE THING THAT WAS THE BIGGEST MISUNDERSTANDING IN THE NEWSPAPER ARTICLE WAS THAT SOMEHOW WE HAD DOUBLED THE FEES. THAT SOUNDED ALMOST CAPRICIOUS. AND THE THING THAT -- THE BIGGEST CLAIR CLARIFIER I WOULD LIKE TO MAKE IS THE EVENT MOVED FROM A ONE TO TWO DAY EVENT AND THAT WAS THE DOUBLING OF THE COST.

**Mayor Wynn:** FURTHER COMMENTS, QUESTIONS?  
COUNCILMEMBER MCCRACKEN.

**McCracken:** THE REASON I PULLED THIS TO GET THE INFORMATION MADE PUBLIC IS WE CAME FORWARD AS A COUNCIL IN JANUARY AND WE WAIVED THE FEES. THE SPONSORS DECIDED TO DOUBLE THE NUMBER OF DAYS, WE OFFERED TO SPONSOR THE ENTIRE THING TO HAVE THE CITY OF AUSTIN TAXPAYERS PAY THE BILL OUT OF CITY OF AUSTIN PAKS PAIR DOLLARS TO PAY THE BILL FOR A STATE PARADE. I'M HAPPY TO DO IT. I BELIEVE THE VAST MAJORITY OF AUSTIN RESIDENTS ARE HAPPY TO DO IT TOO. WHAT I HAVE A BIG PROBLEM WITH IS WHEN THE SPONSORS AND BOARD MEMBERS KNOW THE TRUTH, THAT THE CITY IS GOING TO SPONSOR THIS ENTIRE EVENT, THAT WE'VE ALREADY WAIVED THINGS, THAT THEY PRESENT THINGS THAT ARE UNTRUE WHEN WE ARE WORKING TO BE A GOOD PARTNER WITH THE STATE AND THERE'S A MISUNDERSTANDING AND IT MAKES IT MORE DIFFICULT WHEN PEOPLE SCAPEGOAT THIS COUNCIL AND WE'RE TRYING TO DO EVERYTHING THEY ASKED US TO DO, THEN IT MAKES IT MORE DIFFICULT FOR US TO BE VIEWED AS COOPERATIVE PARTNERS OF THE STATE, WHEN IN FACT TODAY WE'RE GOING TO VOTE TO WAIVE EVERY LAST DIME OF THIS PARADE. AND EVEN THOUGH THEY DOUBLED THE

COST TO THE CITY OF AUSTIN TAXPAYERS FOR MAKING IT A TWO DAY EVENT, THAT'S FINE TOO. ALL I ASK IS THAT WHEN FOLKS WANT TO WORK WITH US ON THE FEE WAIVERS, THAT IF IT DOESN'T WORK OUT FOR WHATEVER REASON, THEY DON'T FALSELY BLAME US WHEN WE'RE SPONSORING THE EVENT. WE'VE DONE EVERYTHING THEY'VE ASKED US TO DO AND THEY KNEW AT THE TIME THEY HELD THE PRESS CONFERENCE ON TUESDAY WE WERE WAIVING EVERY LAST FEE AND SPONSORING IT. THAT'S WHY I WANTED TO GET THAT CLARIFIED BECAUSE WHAT'S BEEN PUT OUT THERE IS UNTRUE AND IT HAS CREATED MISUNDERSTANDINGS ABOUT HOW COOPERATIVE THE CITY HAS BEEN ON THIS EVENT.

**Mayor Wynn:** I'LL ENTERTAIN A MOTION ON ITEM NUMBER 40. MOTION MADE BY COUNCILMEMBER MCCRACKEN, SECONDED BY THE MAYOR PRO TEM. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

**Mayor Wynn:** OPPOSED? MOTION PASSES ON A VOTE OF SIX TO ZERO WITH COUNCILMEMBER SLUSHER TEMPORARILY OFF THE DIAS. GOOD TIMING, COUNCIL, THAT TAKES US RIGHT TO OUR NOONTIME CERTAIN, GENERAL CITIZEN COMMUNICATION. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS]

I WAS LOOKING ON THE CITY OF AUSTIN'S WEBSITE, IT SAYS THAT THE GOAL IS TO LOCATE NEW FIRE STATIONS WITHIN ONE AND A HALF MILES OF ANY INSTRUCTION WITHIN THE IMMEDIATE SERVICE AREA. THERE'S NOT A FIRE STATION WITHIN -- I'M ONE OF THE CLOSEST HOUSES, I'M WELL OVER FOUR MILES FROM THAT FIRE STATION. AND I MEAN THERE'S GOING TO BE WELL OVER 4,000 HOMES BEING BUILT IN THERE AND, I MEAN, I SEE THIS AS AN EVEN GREATER PROBLEM IN THE FUTURE, I DON'T SEEN SEE ANYTHING IN THE BOOKS AS REGARDS THE FIRE STATION BEING BUILT IN THIS AREA, I UNDERSTAND WHY THE CITY WANTS TO DELETE THE EXTENSION OF LAKE CREEK PARKWAY WHEN THERE'S GOING TO IMPEDE, YOU KNOW, THE FIRE DEPARTMENT FROM THE CURRENT FIRE STATION. AND THERE'S NUMEROUS OTHER ISSUES WITH AVERY RANCH. I WAS WONDERING IF THERE'S ANY WAY THAT A REPRESENTATIVE

FROM THE CITY OF AUSTIN ANY COUNCILMEMBER, ANY REPRESENTATIVE THAT COULD COME TO THE NEXT AVERY RANCH NEIGHBORHOOD ASSOCIATION MEETING, WHICH IS GOING TO BE ON APRIL 26th AT 7:00 P.M. AT SAINT VIN SENT DEPAUL'S VINCENT DEPAUL'S CATHOLIC CHURCH.

**Mayor Wynn:** WITHOUT OBJECTION, CAN WE GET GARY WARREN TO GIVE A QUICK RESPONSE. I KNOW IT'S MY UNDERSTANDING WHEN WE ANNEX AREAS THERE'S SORT OF STATE LAW AND OTHER -- REQUIREMENTS FOR US TO DO THE -- ANALYZE THINGS LIKE THE LOCATION OF FIRE STATIONS, BUT MY UNDERSTANDING OF AVERY RANCH GENESIS, I BELIEVE BECAUSE OF SERVICES WE WERE PROVIDING TO THAT LAND DEVELOPMENT, IT WAS A -- IT WAS JUST BROUGHT INTO THE CITY LIMITS. I'M CURIOUS IF YOU COULD GIVE A QUICK RESPONSE ABOUT THE LOCATION OF THAT NEAREST FIRE STATION AND HOW WE TRY TO ANALYZE THAT. WOULD YOU MIND -- CHIEF WARREN, THANK YOU?

YES, I'M GARY WARREN, FIRE CHIEF. HERE IN AUSTIN. AND THE -- -- WHENEVER WE ANNEX A PLACE, FOR OUTSIDE THE CITY LIMITS, WE DO HAS SERVICE PLAN, THE SERVICE PLAN IS REQUIRED TO -- TO SHOW WHAT IT IS THAT WE ARE ABLE TO DELIVER. DELIVER A SERVICE THAT IS EQUAL TO OR BETTER THAN WHAT THEY HAD BEFORE. IN EVERY CASE WHEN WE DO ANNEX, WE ARE ABLE TO PROVIDE A SERVICE THAT'S EQUAL TO OR BETTER. AND IF WE'RE NOT, WE WILL NORMALLY CONTRACT WITH AN AREA, A VOLUNTEER FIRE DEPARTMENT TO GIVE US FIRST RESPONDER SERVICE SO THAT WE CAN.

IN REGARDS TO AVERY RANCH, I HAD BEEN UP THERE. YOU CAN JUST SENSE THAT THERE'S CLEARLY GOING TO BE THOUSANDS OF HOMES. AND, YOU KNOW, AS THAT AREA BUILDS OUT, I'M TOLD THAT THE PREDICTION IS AUSTIN WILL THEN BE THE -- THE THIRD LARGEST CITY IN WILLIAMSON COUNTY. JUST BECAUSE OF THAT ONE DEVELOPMENT. SO SURELY I GUESS THERE'S SOME LONG-RANGE PLANNING GOING ON, I WOULD GUESS, REGARDING FIRE PROTECTION.

THERE IS, WHAT WE HAVE IN PLACE RIGHT NOW IS THE STATION THAT'S CLOSEST IS THE LAKE CREEK PARKWAY

AND 620 STATION. WHICH IS RIGHT THERE BEHIND WAL-  
MART. THEY HAVE A STRAIGHT SHOT OUT THERE. THEIR  
RESPONSE TIMES, WHEN THEY ARE RESPONDING WITH  
LIGHTS AND SIRENS, 7 TO 8 MINUTES. SO WE DO HAVE A  
CONTRACT WITH SAM BASS FIRE DEPARTMENT. AND THAT IS  
THE FIRST RESPONDER CONTRACT. SO THAT -- SO THAT WE  
CAN GET THEM IN -- SOMEONE IN THERE AS A FIRST  
RESPONDER IN A LITTLE BIT QUICKER TIME THAN 7 TO 8  
MINUTES. WE ARE CONSIDERING, AS THIS GETS MORE  
BUILDOUT, MAYBE EXPANDING THAT CONTRACT A LITTLE BIT  
IN THE FUTURE. SO WE DO HAVE -- WE DO HAVE SHORT-  
RANGE AND LONG-RANGE PLANS GOING FOR AVERY RANCH.

THANK YOU, CHIEF WARREN, COUNCILMEMBER DUNKERLY?

I HAD AN E-MAIL JUST A FEW MONTHS AGO FROM DEBBIE  
WALTERS WHO LIVES OUT THERE. AS WE ARE LOOKING AT  
SERVICES, SHE'S REALLY CONCERNED WITH EXCESSIVE  
SPEED. ALONG THE AVERY PARKWAY OR SOMETHING. SO  
WHATEVER -- I THINK THAT IT'S A COMBINATION OF AN A.P.D.  
RESPONSE AS WELL AS A TRANSPORTATION RESPONSE. SO  
PERHAPS IF YOU COULD -- IF YOU COULD TAKE A LOOK AT  
THAT AND SEE WHAT, IF ANYTHING, CAN BE DONE TO BEGIN  
TO MODERATE THE SPEEDS THAT THEY ARE EXPERIENCING  
THERE. SO --

EXCUSE ME.

MR. LIBRACH?

COUNCILMEMBER, I COULD RESPOND IF I MIGHT. A LITTLE  
BIT ABOUT THAT. WE HAD -- WE HAVE TAKEN A LOOK AT  
AVERY RANCH BAFFLED, THIS WAS RAISED EARLIER, BY THE  
GENTLEMAN SEVERAL MONTHS AGO WITH US AND WE  
LOOKED AT AVERY RANCH BOULEVARD AND HAVE CHANGED  
THE SPEED LIMITS AND INSTALLED NEW SPEED LIMIT SIGNS  
ON AVERY RANCH BOULEVARD JUST A COUPLE OF WEEKS  
AGO. AND REDUCED THE SPEED LIMIT. ALONG AVERY RANCH  
BOULEVARD. THE FOLKS THERE SHOULD BEGIN TO SEE A  
DIMINISHMENT OF THE SPEED IN THAT AREA AS A RESULT  
OF THAT. WE HAVE RESPONDED TO THIS ISSUE AND  
COMPLAINT IN THE PAST. IT WAS ALSO A QUESTION ABOUT  
PARTIALER LANE THAT HAS -- PARMER LANE RAISED

EARLIER. THE SPEEDS THERE BEING TOO HIGH. THAT'S A STATE ISSUE, THEY HAVE ALSO ANALYZED PARMER LANE, I'M NOT QUITE SURE WHETHER THEY HAVE INSTALLED SIGNS AS A RESULT OF THEIR STUDY. MOVING AHEAD AS WELL. AS A RESULT OF COMPLAINT THAT'S HAVE BEEN RECEIVED BY COUNCIL THAT WE HAVE DEALT WITH AND THAT THE STATE HAS DEALT WITH. I MIGHT GO BACK TO THE EARLIER QUESTION, MAYOR. ABOUT LAKE CREEK PARKWAY. THIS IS AN ISSUE THAT HAS COME TO THE PLAGUES OR WE WERETO THE PLAN IS COMMISSION, WE ARE TAKING IT THERE ALONG WITH THE CITY'S AMENDMENT TO THE TRANSPORTATION PLAN THE OTHER NIGHT. SOMETHING THAT WE'VE BEEN WORKING ON FOR A NUMBER OF YEARS. THE DEVELOPER OF AVERY RANCH ASKED THAT WE NOT EXTEND THAT THROUGH AVERY RANCH. TEXDOT ASKED THAT WE NOT EXTEND THAT BOULEVARD. ON THE OTHER SIDE THERE ARE OTHERS THAT EXIST THAT WE NEED TO BE EXTENDED SO WE HAVE BEEN WORKING LITERALLY FOR I THINK AS LONG AS FIVE YEARS IN TRYING TO COME UP WITH A OWE WITH A SOLUTION TO THAT PLAN. WE TOOK THE ITEM OFF THE AGENDA, THE PLANNING COMMISSION THE OTHER NIGHT, BECAUSE THERE'S STILL A NUMBER OF VERY SIGNIFICANT ISSUES THAT ARE NOT GOING -- HAVE NOT BEEN WORKED OUT. THIS IS ONE THAT -- AS WE TRY TO WORK OUTER WAY THROUGH FIGURING OUT WHAT IS THE BEST SOLUTION FOR THE ROAD NETWORK IN THAT AREA.

MR. LIBRACH, THE CITIZEN MENTIONED THE 45 MILE PER HOUR SPEED LIMITS BUT SHE CONTINUES TO SAY THERE'S A LOT OF EXCESSIVE SPEED SO HEADACHES THAT'S AN ENFORCEMENT ISSUE. THE DISTRICT REP FROM THAT AREA COULD TAKE A LOOK AT IT.

WE'LL ASK A.P.D. TO TAKE A LOOK AT THAT. CHIEF COY IS COMING UP, HE CAN RESPOND. I'M RICK COY. AT THE RECENT COMMANDERS FORUM THERE WAS A REPRESENTATIVE THERE FROM AVERY RANCH THAT SPOKE TO US ABOUT THAT. WE HAVE OTHER COMMANDER THERE WITH ENFORCEMENT OF SPEED AND WE HAVE MET WITH MR. IBIS PREVIOUSLY. THE DISTRICT REP IS WORKING WITH THE NEIGHBORHOOD ASSOCIATION ON TRYING TO KEEP CONSISTENT ENFORCEMENT FOR THOSE ISSUES.

THANK YOU.

THANK YOU, STAFF, THANK YOU FOR YOUR PATIENCE, MR. WRAY. I RECOGNIZE MR. STEFAN WRAY, WELCOME, YOU WILL HAVE THREE MINUTES.

ON FEBRUARY 4, 2004 THE CITY OF AUSTIN'S ENVIRONMENTAL BOARD IN A 9-0 VOTE PASSED A RECOMMENDATION TO THE CITY COUNCIL TO THE -- TO DIRECT THE CITY MANAGER TO AUTHORIZE BOTH AN ENVIRONMENTAL AND PUBLIC SAFETY ASSESSMENT OF KINDER MORGAN PIPELINE CONVERSION FROM CRUDE OIL TO GARL GAS. THE BOARD RECOMMENDED THAT A RISK ASSESSMENT FOR THE WATERSHED AND FIRE DEPARTMENTS. WE SUPPORT THIS ENVIRONMENTAL BOARD RECOMMENDATION EVEN THOUGH SOME OF US HAD ASKED THE BOARD FOR A RISK ASSESSMENT CONDUCTED BY AN INDEPENDENT THIRD PARTY AND NOT BY CITY STAFF. MORGAN WILL ARGUE THAT IT HAS ALREADY BEEN SUBJECTED TO A REVIEW BECAUSE A HANDFUL OF STATE AND FEDERAL AGENCIES HAVE ISSUED PERMITS OR GIVEN THE PROJECT CLEARANCE, BUT TO OUR KNOWLEDGE NONE HAS CONDUCTED A STUDIED REVIEW OR SCIENTIFIC ASSESSMENT OF THIS PROJECT. WE UNDERSTAND THE NEED FOR NATURAL GAS TO POWER THE SAM HILL ENERGY CENTER, BUT WE ALSO UNDERSTAND THE NEED TO ADEQUATELY REVIEW THE ENVIRONMENTAL AND PUBLIC SAFETY IMPACT OF USING A 50-YEAR-OLD CRUDE LINE FOR NATURAL GAS. THEREFORE WE URGE YOU TO ADOPT THE ENVIRONMENTAL BOARD'S RECOMMENDATION. SIGNED BY THE SAVE BARTON CREEK ASSOCIATION, S.O.S. ALLIANCE, SIERRA CLUB, PUBLIC CITIZEN, SEED COALITION, CLEAN WATER ACTION, SOUTH AUSTIN DEMOCRATS, TEXAS CAMPAIGN FOR THE ENVIRONMENT, WIND ROUND ROCK NEIGHBORHOOD ASSOCIATION, FAR SOUTH AUSTIN PARTLY SUNNY TEE ASSOCIATION, CIRCLE S RIDGE NEIGHBORHOOD ASSOCIATION, TANGLE WOOD OAKS NEIGHBORHOOD ASSOCIATION ... AND AUSTIN NEIGHBORHOOD COUNCIL WITHIN A PERIOD OF ABOUT A WEEK AND A HALF OR TWO WEEKS. I UNDERSTAND THAT THE CITY MANAGER DIRECTED STAFF TO TAKE THESE RECOMMENDATIONS UP, THEREFORE IT HAS NOT COME BEFORE COUNCIL, WHICH IS GOOD, BUT IT EXPEDITES THIS. BUT IT IS BAD BECAUSE IT DOESN'T ALLOW

FOR A PUBLIC FORUM AND A PUBLIC COMMENT AT COUNCIL REGARDING THIS. WHAT I HAVE AS A BASIS FOR AN ARGUMENT THAT THE -- THAT THE -- THAT THE REVIEW BY KINDER MORGAN PIPELINE WAS PERFUNCTORY. I HAVE A LETTER FROM THE FISH AND WILDLIFE SERVICE WHICH IS A NO EFFECT CLEARANCE FOR THE CONVERSION PROJECT OF THE CRUDE OIL PIPELINE. WHICH BASICALLY HAS NO COMMENT IN HERE AT ALL ABOUT THE POSSIBLE IMPACT OF NATURAL GAS SPILL OVER THE EDWARD'S AQUIFER OR DURING ANY PART OF KARST TOPOGRAPHY. THIS IS A -- AN IMPORTANT DOCUMENT. IT SHOULD BE PART OF THE CITY STAFF'S REVIEW. THEY SHOULD LOOK AT THIS FISH LETTER. I ALSO HAVE A DOCUMENT HERE FROM THE DEPARTMENT OF TRANSPORTATION PIPELINE INTEGRITY MANAGEMENT AND IN HIGH CONSEQUENCE AREA, NEW RULES THAT WENT INTO EFFECT MID FEBRUARY FOR NATURAL GAS TRANSMISSION LINES. IN PARTICULAR WHAT'S IMPORTANT ABOUT THIS IS A DISCUSSION ABOUT ERW PIPE, THIS IS THE KIND OF PIPE THAT IS ON THE RANCHO PIPELINE. IT SAYS OPERATORS REQUIRED -- (READING) DETECTING CORRELATION AN NO LEES, WE DON'T THINK THAT THE TYPE OF INSPECTION TOOLS CAN DETECT AN NO LEES IN THE -- ANOMALIES IN THE PIPE. WE NEED THAT TO BE PART OF THE ASSESSMENT AS WELL. PAM THOMPSON, FOLLOWED BY MARGARITE JONES.

THE PIPE THAT STEFAN IS REFERRING TO, ERW PIPE IS THE SAME PIPE THAT LONGHORN HAS. IT'S 50 YEARS OLD PLUS AND IT'S BEEN GRAVITY FED DOWNHILL AND NOW IT'S GOING TO USE PRESSURE TO MOVE THE PRODUCT IN THE OPPOSITE DIRECTION. THE PROBLEMS THAT WE HAVE WITH LONGHORN ARE MUCH THE SAME THAT WE HAVE WITH RANCHO. THE FACT THAT -- THAT THE PIPE HAS NEVER BEEN UNDER FROASH ALL OF THESE 50 YEARS, IT'S AN ELONGATED SEAM, WHICH MEANS THAT IT'S A PIECE OF STEEL MOLD UNDERSTAND A CIRCLE, A SEAM ON THE TOP AS WELL AS AT EVERY CIRCLE SECTION. THAT MAKES IT A MUCH LARGER RISK THAN THE PIPE THAT IS USED TODAY BECAUSE IT HAS NO WELL SEAM ON THE TOP OF OF THE PIPE. THE AMOUNT OF PRESSURE THAT THEY ARE GOING TO PUT ON THIS PIPE THROUGH THE CITY OF AUSTIN IS LESS THAN THEY WILL USE IN THE RURAL AREAS. BUT STILL IN ALL

WHEN I'M TRYING TO DISCUSS KARST FEATURES WITH THEM, THEY HAVE NO KNOWLEDGE OF KARST FEATURES. I EXPLAINED MY RATIONALE, WHICH IS WHEN YOU HAVE A GAS LEAK IN YOUR HOUSE, YOU ARE ASKED TO EVACUATE. IF WE HAVE A GAS LEAK IN THIS PIPE, IT'S UNDER PRESSURE, WHEREVER THE SEAM BURSTS AND WE ARE TOLD THAT THE SEAMS WILL NOT -- ARE NOT CONTIGUOUS, THAT THEY ARE AT DIFFERENT ANGLES, LIKE ONE SECTION IT WILL BE HERE, ONE SECTION IT WILL BE IN ANOTHER PLACE. IF THAT PRESSURE IS TOWARDS AN ANOMALY, A KARST FEATURE, A HOLE, A ROCK, A CREVICE THAT LEADS TO A LARGER AREA, IT WOULD GO IN THAT DIRECTION, IT WOULD STAY THERE. IF IT'S UNDER A ROAD, IT WILL NOT RISE. IT SAYS THAT THE GAS WILL RISE, WE SHOULDN'T WORRY ABOUT IT. I STILL FEEL STRONGLY THAT WE HAVE -- THE CRITICAL WATER FEATURES WHERE THERE WILL BE PRESSURE ABOVE IT. A ROAD BED, HOUSE, CONJUNCTION, THAT WE NEED TO HAVE CONCERNS ABOUT THIS, THAT THE PUBLIC SHOULD HAVE HAD INPUT. THE NAME OF THE PIPE WAS CHANGED WHEN THE CITY COUNCIL DISCUSSED THIS ISSUE TO PROTECT KINDER MORGAN PIPELINE'S DEAL, THEY PROMISED TO PASS THE SAVINGS ON TO THE CITY OF AUSTIN, BUT THE PUBLIC DIDN'T GET A CHANCE TO ADDRESS THE ENVIRONMENTAL ISSUES BEFORE THIS DEAL WAS STRUCK. THE NEIGHBORHOODS WANT THIRD PARTY ASSESSMENT, IT WILL COST A LOT, COULD HAVE BEEN PART OF THE DEAL BUT IT WASN'T. THE CITY OF AUSTIN STAFF AND CITY MANAGER IS PROPOSED TO ADDRESS -- BUT THEY ARE NOT -- THE -- THAT THE STAFF ADDRESSED THIS. BUT THEY ARE NOT PIPELINE SPECIALISTS AND THEY ARE UNDERSTAFFED NOW WITH BUDGET CUTS. SO WE ALSO HAVE TIME RESTRAINTS. SO WE ARE SAYING THAT THE ASSESSMENT THAT THE CITY IS GOING TO DO IS NOT ENOUGH TO PROTECT THE PEOPLE THAT LIVE NEAR THIS PIPE. OUR PIPELINE ORDINANCE IS ONLY FOR LIQUID PIPELINES. I THINK THAT YOU SHOULD SUGGEST ANOTHER ONE. KINDER MORGAN IS NOT FAMILIAR WITH KARST FEATURES, THEY TOLD US IN A PUBLIC MEETING THEY SEARCHED THE OPS SITE AND WERE NOT ABLE TO FIND MANY REFERENCES. SO MY SUGGESTION IS THAT -- THAT I -- I'M NOT IN FAVOR OF LONGHORN PIPELINE, BUT THE PEOPLE THAT BUILT IN AT LEAST WERE EDUCATED ON KARST FEATURES, IF YOU HAVE ANY INPUT WITH THE

THIRD PARTY THAT KINDER MORGAN SAID THEY HAVE TO GET TO -- TO TAKE CARE OF ANY PROBLEMS IN THE PIPE, THAT PERHAPS THEY COULD USE THE PEOPLE THAT HAVE HAD MORE FAMILIARITY WITH KARST FEATURES. AND THE PEOPLE THAT REPLACE THE PIPE FOR LONGHORN HAVE AT LEAST DEALT WITH THE AQUIFER AND HAVE BEEN EDUCATED TO SOME DEGREE. SO IF THAT'S THE ONLY THIRD PARTY THAT WE CAN GET, I MEAN, I WOULD SUGGEST THAT IF THE CITY HAS ANY CHANCE TO INFLUENCE THAT, THAT IT'S THE LEAST COST -- MEASUREMENT THAT WE HAVE AT THIS POINT.

I CALLED MARGARITE JONES, I DON'T SEE HER HERE. THANK YOU. MR. JOHN TORRES. WELCOME, SIR, YOU WILL HAVE THREE MINUTES.

GOOD AFTERNOON, COUNCILMEMBERS. I HAD BASICALLY THE SAME ISSUES WITH AVERY RANCH. I'M AN AND I AVERY RANCH RESIDENT, VOLUNTEER FIREFIGHTER FOR NEIGHBORING FIRE DEPARTMENT. OUR CONCERNS ARE THE SAME ISSUES OF THE RESPONSE TIMES WITH THE FIRE DEPARTMENT. AS CHIEF WARREN MENTIONED THAT SAM BASS DOES COVER A CONTRACT AREA WITH THE CITY OF AUSTIN. THAT IS ON THE EAST SIDE OF -- OF PARMER AND ONLY ABOUT 6 BLOCKS. OUR AREA IS MUCH LARGER ON THE WEST SIDE OF PARMER AND THAT'S A DIFFERENT DEPARTMENT, WHICH IS CEDAR PARK FIRE DEPARTMENT, USUALLY RESPONDS TO THAT AREA. BEFORE THE CITY OF AUSTIN TOOK IT OVER. DURING THE TWO TIMES THAT I HAVE USED EMERGENCY SERVICES, MY RESPONSE TIME FOR MEDICAL RESPONSE WAS THERE 11 MINUTES. THAT WAS KIND OF ONE OF MY WORRIES HOW LONG IT WOULD TAKE AN ENGINE TO GET THERE IF SOMETHING DID HAPPEN IN AN EMERGENCY. ALSO ONE OTHER ISSUE WAS SOME OF THE -- ALSO WITH THE POLICE DEPARTMENT, SPEED CONTROL WHICH I DID SEE A UNIT THERE DOING TRAFFIC CONTROL AND RADAR. SO THAT WAS -- THAT WAS -- THAT WAS APPRECIATED TO SEE. ONE OF MY CONCERNS WAS TRYING TO GET A BETTER COVERAGE AREA ON -- I KNOW THAT WE ARE NOT CONTRACTED THERE RIGHT NOW. I DON'T KNOW IF -- IF CHIEF WARREN CAN MENTION SOMETHING ABOUT THAT, WHERE THAT AREA ON THE THAT -- ON THAT SIDE, ON THE WEST SIDE OF PARMER. MY ISSUE IS WITH THE FIRE

DEPARTMENT, IF WE CAN GET BETTER RESPONSE TIMES. THANK YOU, CHIEF, CAN YOU BRIEFLY RESPOND SO WHAT MIGHT BE THE SAME ISSUE, ALTHOUGH MR. TORRES HAS SLIGHTLY DIFFERENT GEOGRAPHIC --

YES. THIS -- ONE OF THE CALLS THAT WAS BROUGHT UP AT THE NEIGHBORHOOD MEETING HAD TO DO WITH THE CO MONITOR CALL.

CHIEF, EXPLAIN, WHAT DOES THAT MEAN.

A LOT OF PEOPLE HAVE MONITORS IN THEIR HOMES THAT MEASURE, CARBON MONOXIDE BUILDUP IN THE HOME. WHEN THE ALARM GOES OFF, THEN THEY CALL THE FIRE DEPARTMENT AND SO WE HAD GOTTEN A CO MONITOR CALL, OUR PROTOCOL WAS TO TELL THE RESIDENT TO GET OUT OF THE SAFE AND WE WERE SAFE. WE RESPOND CODE ONE, THAT PARTICULAR CALL TOOK US 15 MINUTES TO GET OUT THERE, WE WERE RESPONDING CODE 1, DRIVING NORMALLY. I KNOW THAT'S ONE OF THE STORIES THAT'S GOING AROUND IS HOW LONG THAT TOOK, THAT'S THE REASON THAT TOOK SO LONG. UNTIL THE CALL WAS PLACED UNTIL WE ARRIVED WAS 16 MINUTES, BUT THE ACTUAL TRAVEL TIME WAS 15 MINUTES. WHEN WE TRAVEL LIGHTS AND SIREN WE ARE MUCH QUICKER THAN THAT. HOWEVER WE DO HAVE THAT CONTRACT WITH SAM BASS, WHICH IS ON THAT EAST SIDE. ON THAT EAST AREA, KINDS OF NORTH, WHICH IS WHAT WE ARE LOOKING AT, WE DO THINK AS THIS IS BUILT OUT WE DO NEED TO EXPAND THAT CONTRACT JUST A LITTLE BIT, BECAUSE WE DO HAVE A VERY GOOD RESPONSE ANGLE COMING FROM THAT SITE. SO WE HAVE THAT -- WE HAVE THAT COVERED IN CASE WE NEED IT. JUST FOR FIRST RESPONDER ONLY.

THANK YOU, CHIEF, NEXT SPEAKER MR. ALBERT CARRION, JR. THANK YOU, YOU WILL BE FOLLOWED BY MARY LEHMANN. GOOD AFTERNOON, MY NAME IS ALBERT CARRION WITH THE LAW FIRM OF BRAWN McCAROL, HERE TO SPEAK ABOUT A THREE STORY CONDOMINIUM PROJECT AT 900 WEST 23rd. IT HAS FRONTAGE ON THE 900 BLOCK OF WEST 24th STREET, ADJACENT TO MY CLIENT'S PROPERTY. THE REAR OF THE PROJECT WAS BUILT IN CLEAR VIOLATION OF THE CITY'S 10-FOOT SETBACK REQUIREMENT. THE REAR

WALL OF THIS BUILDING IS ERECTED RIGHT UP TO THE CITY'S RIGHT-OF-WAY LINE. MOREOVER WITHOUT THE BENEFIT OF A VERNS OR LICENSE AGREEMENT, THE OWNER FURTHER CONSTRUCTED PERMANENT IMPROVEMENTS IN THE RIGHT-OF-WAY, CONSISTING OF A RETAINING WALL, A SEVEN FOOT MASONRY PRIVACY WALL, RAISED PATIOS, ROOF OVERHANGS AND OTHER ENCROACHMENTS. THE OWNER THEN SOUGHT AND OBTAINED A VARIANCE OF THE SETBACK REQUIREMENTS, WHICH THE BOARD OF ADJUSTMENT GRANT ODD MAY 14th, 2003. BUT IT DID SO SUBJECT TO CERTAIN CONDITIONS, THAT BEING THAT THE LICENSE AGREEMENT FOR THE RIGHT-OF-WAY ENCROACHMENTS INCLUDE MOVEMENTS OF THE SOUTHERN EDGE OF THE SIDEWALK BACK TO THE ORIGINAL SIDEWALK LOCATION AND MOVING THAT SEVEN FOOT PRIVACY WALL BACK TO BE IN LINE WITH THAT FORMER SIDEWALK LOCATION. PROJECT -- THE PROJECT WAS GRANTED A TEMPORARY CERTIFICATE OF OCCUPANCY THERE ARE AND - - AND THEREFORE AGAIN MR. PETER REIKE, THE FORMER DIRECTOR OF PUBLIC WORKS, CONSIDERED THE LICENSE APPLICATION BY THE OWNER FOR THE RIGHT-OF-WAY ENCROACHMENTS. HE PERSONALLY INSPECTED THE PROPERTY AND REFUSED TO GRANT THE LICENSE AGREEMENT FOR THE PRIVACY WALLS, THE RAISED PATIOS AND THE ROOF DRAINS. BY LETTER DATED JULY 30th, 2003, WHICH I HANDED YOU A COPY OF, HE REQUESTED THE REMOVAL OF THESE ENCROACHMENTS BY SEPTEMBER 30th OF 2003. SINCE THAT TIME TO MY KNOWLEDGE NO LICENSE AGREEMENT HAS BEEN GRANTED CONCERNING THE ENCROACHMENTS, NO ACTION HAS BEEN TAKEN BY THE OWNER TO REMOVE THE ENCROACHMENTS, AND A FINAL CERTIFICATE OF OCCUPANCY HAS BEEN ISSUED FOR THIS PROJECT. I WOULD REQUEST THAT THE -- THAT THE CITY DENY ANY LICENSE APPLICATION BY THE OWNER FOR THESE ENCROACHMENTS AND REMOVE THAT LARGE WALL THAT LOOKS WAY OUT OF PLACE IN THE -- IN -- ON THE STREET. ALTERNATIVELY, THAT IT ENFORCE THE BOARD OF ADJUSTMENT'S DECISION TO -- TO MOVE BACK THE WE WILL AND PUT THE SIDEWALK BACK TO WHERE IT WAS. AND NUMBER 3, REVIEW THESE PROCEDURES TO SEE THAT IT DOESN'T HAPPEN AGAIN.

THANK YOU, MR. CARRION.

**Futrell:** MARTY, WOULD YOU LIKE TO GIVE A SHORT AND SWEET FOR THE COUNCIL ON THIS ONE.

MARTHA TERRY, ASSISTANT CITY ATTORNEY. THE LAND DEVELOPMENT CODE PERMITS THE PERSON WHO RECEIVES A VARIANCE ONE YEAR FROM THE DATE OF RECEIPT OF THE VARIANCE TO COMPLY WITH ALL OF THE CONDITIONS. IF THEY ARE UNABLE TO DO SO, AT THE TIME OF THAT ONE YEAR EXPIRATION DATE, THAT IS THE TIME WHEN WE GO OUT AND WHEN WE ENFORCE THE CODE PROVISION, BUT THIS -- BUT THIS PARTICULAR PERSON WHO RECEIVED THE VARIANCE UNDER THE TERMS AND CONDITIONS OF THE LAND DEVELOPMENT CODE HAS ONE YEAR TO -- TO ACTUALLY MEET ALL OF THE CONDITIONS. MY UNDERSTANDING IS THAT WHILE THAT LETTER REFUSING THE -- THE LICENSE AGREEMENT HAS GONE OUT, THAT THAT ISSUE IS STILL UNDER CONSIDERATION. BUT THE LONG AND THE SHORT OF IT IS THAT WHEN ONE YEAR EXPIRES, THAT'S WHEN WE EXPECT THEM TO BE IN TOTAL COMPLIANCE WITH THE CODE AND WE ENFORCE THE ON CODE'S PROVISIONS BECAUSE THEY HAVE THAT ONE YEAR GRACE PERIOD.

THANK YOU, MS. TERRI, THE NEXT SPEAKER IS MARY LEHMANN. YOU WILL BE FOLLOWED BY ROBERT SINGLETON.

MEMBERS OF THE CITY COUNCIL. KEEP THE LAND HAS TO REPORT THAT WE HAVE NOT RECEIVED OR EVEN HEARD OF ONE SINGLE REASON THAT IT WOULD BE OF BENEFIT TO THE CITY TO SELL THE MUELLER TRACT TO THE DEVELOPER. ACTUALLY, IS IT SURPRISING? THAT THE INTERESTS ARE THE SAME IN OWNING THE LAND? THE END DISPUTABLE INTEREST OF -- OF REVENUE GENERATED AND SAY SO OVER THE LAND USE INCLUDING SAY SO OVER HOW AFFORDABLE HOUSING WILL BE DEALT WITH. SO HERE'S THE CITY. PROBABLY INTERESTED IN THIS. HERE'S THE DEVELOPER, IF WE SELL THE CITY LOSES OUT, IF THE CITY KEEPS IT, THE DEVELOPER LOSES OUT. WHAT ABOUT THE HOME OWNER ON MUELLER? HE BUYS THE LAND, PAYS THE BANK INTEREST, OVER HERE THAT MONEY IS -- IS -- INSTEAD GOES INTO A GROUND LEASE, NO INTEREST. THE DIFFERENCE ISN'T GREAT. BUT IT IS FOR THE CITY BECAUSE THAT'S

INCOME FOR THE CITY. OKAY. WHAT ABOUT THE FIGURES? THAT THE CITY COUNCIL IS GOING TO HEAR ON MARCH 9th AND 10th FROM THE FINANCIAL COMMITTEE. IT WILL INCLUDE WHAT YOU HAVE TO HEAR FROM -- FROM THE DEVELOPER. THE -- THE MARKET RATES, WHAT HE WILL CONSIDER, WHAT THE INFRASTRUCTURE COSTS, YOU ARE GOING TO GET ALL OF THAT STUFF. WHAT ELSE HAVE THEY BEEN TALKING ABOUT. BUT WILL YOU GET THE FIGURES NEEDED OVER HERE? WHERE THE CITY HAS TO DECIDE WHETHER IN THE FIRST PLACE IT'S ADVANTAGEOUS TO KEEP THE LAND. WHAT -- OR SELL, WHAT'S THE REVENUE GOING TO BE. FROM THE TOTAL ALL LEASE GROUND LEASE REVENUE ON THE ONE HAND OR THE TAX REVENUE IF INSTEAD -- PLEASE INSIST ON GETTING THESE FIGURES FROM OUR -- FROM OUR EXPERIENCE IT'S POSSIBLE THAT YOU MAY NOT UNLESS YOU DEMAND IT. THANK YOU FOR YOUR ATTENTION.

**Mayor Wynn:** THANK YOU, MS. LEHMANN, COULDN'T YOU HAVE DRAWN THE CITY OF AUSTIN A LITTLE BETTER LOOKING ON THAT THING? [LAUGHTER]

WELL, I'M NOT AN ARTIST.

**Mayor Wynn:** APPRECIATE THE EFFORT. THANK YOU.

BUT ANYWAY YOU CAN SEE BOTH OF YOU ARE EYEING THIS -  
- [INDISCERNIBLE]

I HAVE NO VISUAL AIDS. I FOUND SOMETHING INTERESTING ON THE CITY'S WEB PAGE. IT'S A PRESS CONFERENCE FROM JANUARY 22nd, 1998 BEFORE A CITY COUNCIL MEETING. IT WAS DARYL SLUSHER WAS THERE, BEVERLY GRIFFITH AND CHUCK GRIFFITH FROM THE CITY ANNOUNCING THAT -- THAT THE BERGSTROM SITE IS GOING TO GO INTO THE I'VEATION FUND, MUELLER -- AVIATION FUND, MUELLER INTO THE GENERAL FUND. IT'S A LITTLE HARD TO TELL FROM THE CLOSED CAPTIONED TRANSCRIPTS, BUT I BELIEVE THIS WAS COUNCILMEMBER SLUSHER AT THAT TIME. A MORE LONG-TERM BASIS IT WILL BE GROUND LEASES FROM THE PROPERTY THAT WILL GO TO THE GENERAL FUND AND IT WILL BE PART OF THE GENERAL FUND FOR YEARS TO COME. I HADN'T REALIZED THAT LEASING HAD BEEN DISCUSSED FROM THE GET-GO. BUT APPARENTLY AT THE TIME THAT

THE ANNOUNCEMENT WAS MADE THAT -- THAT MUELLER WAS GOING TO BECOME AVAILABLE, THE SUBJECT OF LEASING FIRST CAME UP. AT THE TIME YOU GET YOUR BRIEFING ON THE 9th AND 10th ABOUT SALES VERSUS LEASE, WE WILL HAVE RECEIVED AN ANSWER FROM THE ATTORNEY GENERAL ON OUR OPEN RECORDS REQUEST, THAT IS MARCH 8th 8th. WE ASKED THE ATTORNEY GENERAL, WE ASKED THE CITY FOR A COUPLE OF THINGS. ONE OF THEM WAS WE ASKED FOR -- FOR STUDIES BY EPS OR -- ECONOMIC PLANNING SYSTEMS, ABOUT THE RELEVANT MERITS OF SALE AND LEASE. THAT'S THE SUBJECT TO THE ATTORNEY GENERAL IS HOPEFULLY GOING TO CLEAR UP BY MARCH 9th. NOW I HAVE A COUPLE OF QUESTIONS ABOUT THE SESSION ON MARCH 9th AND 10th, IS IT GOING TO BE IN EXECUTIVE SESSION, IF IT IS, IT IS MY UNDERSTANDING, CORRECT ME IF I'M WRONG, TO MEET THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT, BEFORE COUNCIL GOES INTO EXECUTIVE SESSION, THEY HAVE TO MEET IN OPEN SESSION AND ANNOUNCE THE SUBJECT THAT THEY WERE GOING INTO EXECUTIVE SESSION FOR THE SECTION OF THE OPEN MEETINGS ACT OR THE PUBLIC INFORMATION ACT THAT THEY ARE -- THAT THEY ARE USING AS THE GROUNDS FOR GOING IN AND ONE OF THE REASONS THAT YOU HAVE TO MEET IN OPEN SESSION FIRST IS TO PROVIDE MEMBERS OF THE PUBLIC AND OTHERS A REASONABLE OPPORTUNITY TO PRESENT OBJECTIONS TO THE REASONS THAT YOU ARE GOING INTO EXECUTIVE SESSION. THAT'S THE WAY THAT IT'S BEEN CONDUCTED IN THE PAST. I'M NOT SURE WHETHER THAT WAS POLICY OR LAW. BUT I WANT TO MAKE SURE THAT -- THAT I DO UNDERSTAND THE WAY THIS SESSION IS GOING TO COME ABOUT. WE HAVE BEEN ASSURED IN THE PAST THAT YOU WILL BE BRIEFED ON BOTH THE ADVANTAGES OF SALE AND LEASING, THAT YOU WILL NOT SIMPLY BE PRESENTED A FINAL RECOMMENDATION FOR WHAT STAFF CONSIDERS THE BETTER OF THE TWO OPTIONS. IS THAT -- IS THIS THE FIRST OF THAT BRIEFING THAT YOU ARE GETTING ON THE 9th AND 10th? ARE YOU GOING TO BE HEARING FIGURES ABOUT BENEFITS OF SALE AND THE BENEFITS OF LEASING AND SEE SOME NUMBERS COMING OUT OF THOSE? WE ARE HAVING TROUBLE GETTING SOME INFORMATION FROM THE CITY. I'VE ASKED REPEATEDLY FOR THE SCOPE OF WORK THAT ECONOMIC

AND PLANNING SYSTEMS IS OPERATING UNDER. I UNDERSTAND THIS IS A SUBCONTRACT WITH ROMA, BUT -- [BUZZER SOUNDING] I DON'T UNDERSTAND WHY IT'S BEEN SO DIFFICULT TO GET ANY INFORMATION ON WHAT EPS HAS BEEN ASKED TO DO. THANKS.

**Mayor Wynn:** THANK I, MR. SINGLETON. MR. PAT JOHNSON, WELCOME, SIR. YOU WILL BE FOLLOWED BY MR. JOHN VILLEREAL. ON.

GOOD AFTERNOON, LOVELY DAY OUTSIDE TODAY, ISN'T IT? THE TOPIC TODAY, I WATCHED THE PLANNING COMMISSION MEETING LAST NIGHT ON CHANNEL 6, I SAW COUNCILMEMBER DUNKERLY MAKE THE COMMENT THAT THE CITY IS CASH STRAPPED. DON'T HAVE MONEY TO DO TOO MUCH OF ANYTHING. WHAT I WOULD LIKE TO ASK THE COUNCIL TO DO IS TO INTERVENE IN THE STAFF'S DECISION AND ASK THE STAFF NOT TO EXERCISE THEIR OPTION ON THE CITY CONTRACTS, THE THREE CITY CONTRACTS AT SOUTH SIDE FOR THE A.P.D. TOWING CONTRACT, PARKS AND RECREATION, AND MUNICIPAL COURT. BECAUSE OF THE -- BECAUSE OF THE REVENUE FACTORS THAT ARE GENERATED BY THESE CONTRACTS. SO IT IS PRESENTLY NOW SOUTH SIDE GETS TO KEEP ALL OF THE STORAGE FEE, ALL OF THE PROCEEDS THAT COME FROM THE AUCTIONS FOR THE VEHICLES THAT THEY TO YOU FOR THE CITY OF AUSTIN -- THAT THEY TOW FOR THE CITY OF AUSTIN, WHETHER IT'S GREEN TAGGED VEHICLE, ABANDONED VEHICLES, NUISANCE VEHICLES ACT OR THE VEHICLES TOWED BECAUSE THEY ARE STORED, ARRESTS, ET CETERA. THE REASON THAT I SAY THIS, BECAUSE ACCORDING TO THE ESTIMATED PROJECTION, PROJECTED ESTIMATE FOR THE A.P.D. CONTRACT, WAS \$146,000, FOR THE BUDGET YEAR OF 2002 TO 2003. YET GENERATE OVER \$8 MILLION IN STORAGE FEES AND AUCTION PROCEEDS FOR THE VEHICLE THEY STORED. TO ME THAT'S NOT A VERY GOOD RETURN TO YOUR CONTRACT. THE CITY IS NOT GETTING ANY PROCEEDS FROM THE STORAGES OF THE VEHICLES, THE STORAGE FEES AND THE AUCTION PROCEEDS. THE ONLY THING THE CITY IS GETTING OFF THE CONTRACT IS A PERCENTAGE OF THE TOWING FEES. MORE TO SAY, TAKE FOR INSTANCE A VEHICLE IS UP FOR AUCTION, A VEHICLE HAS \$1,200 IN CHARGES OWED AGAINST THE VEHICLE. THE VEHICLE SELLS

IN THE AUCTION FOR \$5,000. THERE'S \$3,800 IN PROCEEDS THAT EXCEED WHAT IS OWED AGAINST THE VEHICLE. AT THE PRESENT TIME THE CITY AIN'T GETTING NONE OF THAT. THE MOPE IS SUPPOSED TO BE RETURNED BACK TO THE VEHICLE'S OWNER, BUT THE STORAGE FACILITIES ACROSS THE STATE DON'T REALLY GO AFTER THE PEOPLE TO COME GET THEIR MONEY, SO IN TURN SOUTH SIDE KEEPS THAT MONEY. IT ONLY SEEMS RIGHT IF THEY ARE GOING TO OPERATE AS A BENEFIT TO THE CITY OF AUSTIN, PROVIDE A SERVICE TO THE CITY. THESE CONTRACTS ARE POSTED -- SUPPOSED TO GENERATE FOR THE CITY, THE CITY NEEDS TO GET MORE OF THE MONEY. WHY DON'T THE CITY RUN THEIR OWN FACILITY AND KEEP ALL OF THE MONEY. HE SAYS WELL, PAT, IT'S POLITICS. SO IT'S Y'ALL'S BALL GAME NOW. ANYTHING THAT INVOLVES MONEY, IT SEEMS TO BE POLITICAL. WHY DOES THAT HAVE TO BE? THANK YOU VERY MUCH. Y'ALL HAVE THE COMMENTS ON MY PACKET THAT I GAVE Y'ALL. SO Y'ALL KNOW A LITTLE BIT ABOUT ME. MAYOR TODD -- MAYOR WYNN I UNDERSTAND THAT WE MIGHT HAVE BEEN BORN IN THE SAME HOSPITAL, SIR, OVER AT BAPTIST HOSPITAL.

**Mayor Wynn:** NO, I WAS SAINT THERESE.

WHAT WAS YOUR LAST YEAR AT CHARLTON --

I WENT TO FRENCH HIGH SCHOOL --

I HAVE TWO -- I HAVE TWO COUSIN THAT'S WENT TO SCHOOL OVER THERE.

**Mayor Wynn:** GOOD.

THANK YOU VERY MUCH.

**Mayor Wynn:** THANK YOU, MR. JOHNSTON. MR. JOHN VILLERREAL.

I SUPPOSE SINCE WE HAVE A MOMENT WHILE THIS IS BEING PASSED OUT, I DON'T WANT TO LEAVE THE IMPRESSION THAT WAS JUST LEFT BY THIS SPEAKER. OUR CONTRACTS ARE BID OUT. THEY ARE DONE UNDER THE PURCHASING LAWS OF THE STATE. OUR CONTRACTS ARE NOT DONE

BASED ON POLITICAL ISSUES. IT'S A VERY STRAIGHT UP PURCHASING ISSUE AND THEY ARE ALL EVALUATED FOR THE REVENUE BENEFITS TO THE CITY. SO THOSE DECISIONS ARE POLICY AS OPPOSED TO POLITICAL.

**Mayor Wynn:** TAKE ALL OF THE FUN OUT OF IT.

**Futrell:** TAKES ALL OF THE FUN OUT OF IT.

GOOD AFTERNOON MEMBERS OF THE COUNCIL, I'M JOHN VILLEREA EXECUTIVE DIRECTOR OF AUSTIN COMMUNITY ACCESS CENTER, SOMETIMES KNOWN AS AUSTIN COMMUNITY TELEVISION. I WANT TO GIVE YOU A SUMMARY OF WHAT WE HAVE BEEN DOING FOR THE PAST FOUR MONTHS, A HANDOUT GIVING YOU SOME OF THOSE INFORMATION. BUT WE ARE ACTUALLY IN OUR 31st YEAR OF CONTINUOUS OPERATION. AND THAT MAKES US ONE OF THE LONGEST CONTINUOUS COMMUNITY TELEVISION STATIONS IN THE COUNTRY. IF NOT THE WORLD. I HAVE GIVEN STATISTICS THERE OF WHAT WE HAVE DONE WITH OUR AUSTINITES HERE, THE CITIZENS LOOKING TO -- TO USE OUR MEDIUM AS A WAY OF GETTING THEIR MESSAGE ACROSS ON CABLE TELEVISION. WE ARE ALSO ONE OF THE FEW FACILITIES THAT ARE OPEN SEVEN DAYS A WEEK, 24 HOURS A DAY. AND THIS ALLOWS A LOT OF LATE NIGHT EDITING FOR PEOPLE WHO USE THE EQUIPMENT. IT MIGHT BE INTERESTING TO KNOW OUTLET OF THOSE -- OUT OF THOSE STATISTICS ALSO IF YOU COMBINE ALL OF THE COMMUNITY TELEVISION STATIONS IN THE COUNTRY, WE PROVIDE MORE THAN 21,000 HOURS OF LOCAL FIRST-RUN PROGRAMS EACH WEEK. THAT IS MORE THAN PRODUCED BY N.B.C., C.B.S., A.B.C., FOX AND P.B.S. COMBINED. I WANT TO TALK A LITTLE BIT ABOUT OUR EQUIPMENT. WE ARE -- WE ARE IN THE PROCESS OF -- OF ALMOST FULLY BECOMING DIGITIZED. DIGITAL EQUIPMENT AS OPPOSED TO ANALOG EQUIPMENT THAT WE'VE HAD. ONE OF OUR METHODS OF -- OF PUTTING THE PROGRAM TOGETHER IS EDITING. RIGHT NOW WE ARE IN THE -- WE ARE IN THE -- OUR EDITING PROCESS DEALS WITH WHAT WE CALL LINEAR EDITING AND THE CURRENT TREND RIGHT NOW IS TO -- IS TO -- YOU MAY NOTICE A PICKUP OF SALES AND DIGITAL CAMERAS AT YOUR STORES AND COMPUTERS THAT HAVE A -- THAT HAVE A -- A BASIC EDITING SOFTWARE IN IT. AND WE CALL THAT NON-LINEAR

EDITING. WE DON'T HAVE THAT FOR POPULATION TO USE. SO -- SO ONE OF OUR -- SOME ARE GOING TO BE PART OF OUR FUTURE EQUIPMENT NEEDS. WE ARE ONE OF THREE PUBLIC EDUCATION AND GOVERNMENTAL ORGANIZATIONS THAT GET THEIR EQUIPMENT FROM -- FROM THE CABLE COMPANIES. AND IT'S THAT PROCUREMENT GOES ON TWICE A YEAR AND ONE OUT OF THREE -- OUT OF EVERY 18 MONTHS WE GET TO SOLICIT FOR EQUIPMENT. THE NEXT TWO EQUIPMENT PURCHASES WE HOPE TO BE ABLE TO SATISFY THE NEEDS OF THE CURRENT TREND AND WHAT OUR CUSTOMERS ARE ASKING FOR. WE DO HAVE ONE RECENT IMPEDIMENT REGARDING EQUIPMENT. THAT IS TIME WARNER CABLE HAS INTERPRETED THE MAINTENANCE AND - - AND EQUIPMENT REPAIR TO -- TO SAY THAT THEY ARE NO LONGER REQUIRED TO DO THAT UNDER THE FRANCHISE AGREEMENT. THAT -- THAT IS AN IMMEDIATE CONCERN OF OURS -- [BUZZER SOUNDING] WELL, OKAY. THANKS FOR YOUR TIME.

**Mayor Wynn:** YOU ARE WELCOME TO CONCLUDE, MR. VILLEREA. THANK YOU, SIR FOR THE UPDATE. COUNCIL, THAT'S ALL OF THE CITIZENS SIGNED UP FOR YOUR GENERAL CITIZENS COMMUNICATION. THIS -- YES, COUNCILMEMBER ALVAREZ?

**Alvarez:** I DID WANT TO KNOW THAT YOU ARE SUPPOSED TO MENTION THE PIPELINE ISSUE. THE KINDER MORGAN ISSUE, WE DID RECEIVE A COMMUNICATION FROM OUR CITY MANAGER SAYING THAT THE -- THAT WE ARE GOING TO BASICALLY FOLLOW THE ENVIRONMENTAL BOARD'S RECOMMENDATION AND ASSESS THE SITUATION AND ACTUALLY BRING A THIRD PARTY CONSULTANT ON BOARD TO HELP WITH THAT ANALYSIS. ALSO, I BELIEVE THAT WE RECEIVED A -- A -- THERE'S A NEW -- NEW RULES THAT I THINK THAT HAVE RECENTLY PASSED, AT THE FEDERAL LEVEL, THAT DEAL WITH I THINK THEY CALL THEM PIPELINE MANAGEMENT AND HIGH CONSEQUENCE AREAS, WHICH IS ONE OF THE ISSUES THAT WAS RAISED BY ONE OF THE SPEAKERS AT LEAST. AND THAT IT APPEARS THAT KINDER MORGAN IS GOING TO BE FOLLOWING THOSE NEW RULES THAT WILL BE I THINK ADMINISTERED BY THE TEXAS RAILROAD COMMISSION, BUT THAT IT PROVIDES OBVIOUSLY SOME MORE SAFEGUARDS FOR THESE TYPES OF PIPELINES

AND REALLY I THINK WANT TO MAKE SURE THAT WE COMMUNICATE THAT TO THE PUBLIC AND I THINK THAT'S BEING COMMUNICATED DIRECTLY TO THE SPEAKERS, BUT FOLKS WHO MIGHT BE WATCHING AT HOME MIGHT BE INTERESTED TO KNOW THAT THERE'S SOME ADDITIONAL WORKING DONE IN THAT REGARDS. THANK YOU, MADAM, CITY MANAGER.

**Mayor Wynn:** CITY MANAGER, WOULD YOU LIKE TO COMMENT?

**Futrell:** THAT THIRD PARTY CONTRACT WILL BE EVALUATED AND WORKED ON BY ALL THREE DEPARTMENTS. IN FACT WE ALSO HAVE AN EXPERT IN PUBLIC WORKS ON PIPELINE INTEGRITY, SO FOUR DEPARTMENTS WILL BE INVOLVED, WATERSHED PROTECTION, AUSTIN ENERGY, OUR FIRE DEPARTMENT AND OUR PUBLIC WORKS DEPARTMENT. IN ADDITION TO THAT, WE EXPECT THIS TO BE ABOUT A 90 CASH DAY STUDY PERIOD, THEN WE WILL BE REPORTING BACK TO COUNCIL AND THE ENVIRONMENTAL BOARD ON THE ISSUE.

**Mayor Wynn:** THANK YOU. WITH THAT, COUNCIL, WITHOUT OBJECTION, WE WILL NOW GO INTO EXECUTIVE SESSION. FOR PRIVATE CONSULTATION WITH OUR ATTORNEY OF SECTION 551.071 OF THE OPEN MEETINGS ACT TO POTENTIALLY DISCUSS ITEMS 32, 33, 34 AND 39. WE ALSO MAY TAKE UP IN CLOSED SESSION UNDER SECTION 551.074 OF THE OPEN MEETINGS ACT TO DISCUSS PERSONNEL MATTERS THAT SHOW AS ITEMS 26 AND 36. WE ARE IN EXECUTIVE SESSION. THANK YOU. CLERK CLERK MAYOR, DID YOU ALSO WANT TO CONSIDER 8 AND 25, THOSE ARE THE ACTION ITEMS THAT I GUESS THAT --

**Mayor Wynn:** WE NORMALLY JUST REFER TO THE EXECUTIVE SESSION DISCUSSION AND THEN WE WILL COME UP AND TAKE -- TAKE THE ACTION ITEMS AS POSTED AFTERWARDS, THANK YOU, MS. BROWN.

**Mayor Wynn:** WE ARE OUT OF CLOSED SESSION. IN CLOSED SESSION WE TOOK UP ITEMS UNDER SECTION 551.071 OF THE OPEN MEETINGS ACT CONSULTATION WITH OUR ATTORNEY. WE DISCUSSED ITEMS 32, 33, 34 AND 39. NO

DECISIONS WERE MADE. THEN ALSO IN CLOSED SESSION UNDER SECTION 551.074, WE DISCUSSED PERSONNEL MATTERS ITEM NUMBER 26. WE DID NOT TAKE UP ITEM NUMBER 36. THAT SAID, I WILL NOW RECESS THIS MEETING OF THE AUSTIN CITY COUNCIL AND CALL TO ORDER THIS BOARD MEETING OF THE AUSTIN HOUSING FINANCE CORPORATION AND WE'LL WELCOME MR. PAUL HILGERS.

THANK YOU, MR. PRESIDENT. MY NAME IS PAUL HILGERS. I'M HERE REPRESENTING THE AUSTIN HOUSING FINANCE CORPORATION FOR TWO VERY BRIEF ITEMS TODAY. ONE IS FIRST TO APPROVE THE MINUTE OF THE FEBRUARY 12TH, 2004 BOARD MEETING OF THE AUSTIN HOUSING FINANCE CORPORATION. THAT'S AHFC ITEM NUMBER 1.

**Mayor Wynn:** I'LL ENTERTAIN A MOTION TO APPROVE AHFC ITEM NUMBER A 1, APPROVAL OF MINUTES. MOTION MADE BY VICE-PRESIDENT GOODMAN, SECONDED BY BOARD MEMBER DUNKERLEY. FURTHER DISCUSSION? HEARING HEARING.

AYE.

**Mayor Wynn:** OPPOSED? MOTION PASSES ON A VOTE OF FIVE TO ZERO WITH BOARD MEMBERS THOMAS AND MCCRACKEN OFF THE DIAS.

THANK YOU, MR. PRESIDENT. AHFC ITEM NUMBER 2 IS TO APPROVE AN INDUCEMENT RESOLUTION FOR A MULTI-FAMILY HOUSING PROJECT KNOWN AS INTERPORT APARTMENTS TO BE CONSTRUCTED AT THE 3200 BLOCK OF INTERPORT LANE AT HIGHWAY 71 TO BE OWNED BY A TO BE FORMED LIMITED PARTNERSHIP SPONSORED BY SGI VENTURES INCORPORATED FOR BOND FINANCING IN AN AMOUNT NOT TO EXCEED \$15 MILLION TO BE SUBMITTED BUT THE AUSTIN HOUSING FINANCE CORPORATION THROUGH EXISTING CARRY FORWARD FROM THE 2003 TEXAS BOND REVIEW BOARD MULTI-FAMILY ALLOCATION OF PRIVATE ACTIVITY VOLUME CAP AUTHORITY. THE AUSTIN HOUSING FINANCE CORPORATION RECEIVED AN ALLOCATION OF PRIVATE ACTIVITY VOLUME CAP OF 15 MILLION FOR THE INTERPORT APARTMENTS TO BE CONSTRUCTED IN THE 3200 BLOCK OF INTERPORT LANE AT HIGHWAY 71. THIS WILL SECURE FOUR PERCENT LOW

INCOME HOUSING TAX CREDITS FROM TDHCA AND SUCH CREDITS ARE IMMEDIATELY AVAILABLE TO THE BOND CAP FINANCE PROJECTS. ONCE THE BOND ISSUE IS STRUCTURED, WHICH IT IS NOT CURRENTLY STRUCTURED, THE ITEM WILL BE BROUGHT BACK TO THE AUSTIN HOUSING FINANCE CORPORATION FOR APPROVAL FOR THE SALE OF THE BONDS WITHIN THE ALLOTTED TIME FOR CLOSING. PROJECTS BROUGHT FORWARD FOR BOND CONSIDERATION, INCLUDING THIS DEVELOPMENT, WILL BE COMPLIANT WITH ALL SMART HOUSING REQUIREMENTS. YOU WILL RECALL, BOARD, BOARD MEMBERS, THAT THIS IS THE FIRST STEP IN A THREE-STEP PROCESS TO BRING DEVELOPMENTS THROUGH AN APPROVAL PROCESS. THERE'S AN INDUCEMENT RESOLUTION. THERE'S THE TEFRA HEARING, WHICH IS A PUBLIC HEARING, AND THEN THERE'S ANOTHER STEP IN WHICH WE GO THROUGH THE APPROVAL OF THE BOND AND THE TRANSACTIONS. SO THIS IS JUST THE FIRST STEP IN THIS DEAL. SO WITH THIS WE WOULD REQUEST THAT YOU WOULD APPROVE THIS INDUCEMENT RESOLUTION.

**Mayor Wynn:** THANK YOU, MR. HILGERS. QUESTIONS FOR STAFF, BOARD MEMBERS? HEARING NONE, I'LL ENTERTAIN A MOTION ON AHFC ITEM NUMBER 2.

MOVE APPROVAL.

**Mayor Wynn:** MOTION MADE TO APPROVE ITEM NUMBER 2 BY BOARD MEMBER ALVAREZ. I'LL SECOND THAT. FURTHER COMMENTS AND DISCUSSION? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

**Mayor Wynn:** OPPOSED? MOTION PASSES ON A VOTE OF FIVE TO ZERO WITH BOARD MEMBERS THOMAS AND McCRACK REN OFF THE DIAS.

THAT'S ALL THE BUSINESS OF THE AUSTIN HOUSING FINANCE CORPORATION TODAY.

**Mayor Wynn:** THANK YOU. WITHOUT OBJECTION I WILL ADJOURN THIS MEETING OF THE AUSTIN HOUSING FINANCE CORPORATION BOARD AND CALL BACK TO ORDER THIS

MEETING OF THE AUSTIN CITY COUNCIL. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS] ON ITEM NO. 8 THIS IS TO APPROVE AN EXTENSION OF OUTSIDE LEGAL SERVICES.

MOVE APPROVAL, MAYOR.

**Mayor Wynn:** THANK YOU, MINOR. MOTION MADE BY THE MAYOR PRO TEM TO APPROVE ITEM NO. 8. I WILL SECOND THAT. FURTHER COMMENTS, QUESTIONS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn:OPPOSED? MOTION PASSES ON A VOTE OF 6-0 WITH COUNCILMEMBER MCCRACKEN OFF THE DAIS. COUNCIL, LET'S -- LET'S IF WE CAN TAKE UP ITEM NO. 26. WHICH IS OUR THIRD READING, THIRD READING OF AN ORDINANCE APPEAR POINTING OUR -- APPOINTING OUR MUNICIPAL COURT JUDGES. WE FOUR SPEAKERS SIGNED UP ON ITEM NO. 26. SIGNED THE CARDS. WITHOUT OBJECTION, I'LL CALL -- SOME SPEAKERS ON ITEM NO. 26. FIRST SPEAKER IS MS. MARTRA COTERA. SIGNED UP WISHING TO SPEAK AGAINST MUNICIPAL COURT FINAL VOTE. JESUS VASQUEZ, JESUS VASQUEZ, SIGNED UP URGING REAPPOINTMENT OF JUDGE CASTRO. OLIVIA [INDISCERNIBLE] SORRY IF I'M MISPRONOUNCING THAT, SIGNED UP NOT SURE HOW TO VOTE SUPPORTING REAPPOINTMENT OF WHY CELIA CASTRO. MR. DAVID FRANK, WELCOME, SIR. YOU'LL HAVE 3 MINUTES.

THANK YOU. I HAVE SPOKEN ON THIS ISSUE BEFORE AND I WANTED TO RE-EMPHASIZE OUR POSITION. I'M PRESIDENT OF THE AUSTIN CRIMINAL DEFENSE LAWYERS ASSOCIATION. WE FELT THAT THE COUNCIL DID NOT HAVE SUFFICIENT INFORMATION AT THE TIME THAT THEY FIRST EVALUATED MUNICIPAL COURT JUDGES. WE ARE PLEASED THAT TWO OF THE JUDGES THAT WERE INITIALLY TARGETED FOR TERMINATION HAVE BEEN SLATED FOR REAPPOINTMENT. BUT WE WOULD ASK THAT CELIA CASTRO ALSO BE REAPPOINTED IN THAT THE COUNCIL DID NOT HAVE SUFFICIENT INFORMATION WHEN THE DEFENSE BAR WAS BEING POLLED IN TRAVIS COUNTY. WE FEEL THAT THE

INFORMATION THAT THE COUNCIL RECEIVED MAY HAVE BEEN SLANTED IN ONE WAY IN THAT IT WAS OVERLY REPRESENTATIVE OF CITY ATTORNEYS, PROSECUTORS AND THE POLICE ASSOCIATION. I WOULD LIKE TO REPRESENT TO THE COUNCIL THAT IF THE DEFENSE BAR WAS PROPERLY POLLED, THE -- THE DATA AND INFORMATION WOULD HAVE BEEN CONTRARY TO ANY RECOMMENDATION THAT THESE JUDGES BE REMOVED. THESE JUDGES HAVE BEEN SERVING THE CITY WITH DISTINCTION FOR A VERY LONG TIME TO TAKE THEM OFF THE -- OFF OF MUNICIPAL COURT AT THIS POINT WOULD BE UNWISE FOR THE CITY, WE WOULD ASK THAT CELIA CASTRO BE REAPPOINTED ALONG WITH THE TWO OTHER JUDGES THAT WERE FIRST INITIALLY TARGETED. THANK YOU.

THANK YOU, MR. FRANK. THAT'S ALL OF THE CITIZENS SIGNED UP FOR ITEM NO. 26. I WILL ENTERTAIN A MOTION OR DISCUSSION?

**Dunkerley:** MAYOR? I WOULD LIKE TO MAKE THE MOTION FOR APPROVAL ON ITEM 26.

**Mayor Wynn:** MOTION MADE BY COUNCILMEMBER DUNKERLY TO APPROVE ON THIRD READING ITEM NO. 26. I'LL SECOND THAT. FURTHER COMMENTS? COUNCILMEMBER ALVAREZ?

**Alvarez:** YES, MAYOR. AS I MENTIONED EARLIER, ASSUMING THIS HAS -- THIS IS GOING FORWARD IN ITS CURRENT FORM THAT WE HAVE MAYBE A COUPLE MORE WEEKS OF TRANSITION TIME, THAT WE CHANGE PART 12 OF THE ORDINANCE THAT HAS THE EFFECTIVE DATE FROM -- CHANGE THAT DATE FROM MARCH 1st 2004 TO MARCH 15th 2004.

MAKER OF THE MOTION DO YOU CONSIDER THAT A FRIENDLY AMENDMENT?

**Dunkerley:** YES.

**Mayor Wynn:** SO DO I. PLEASE NOTE THAT THE ORIGINS TAKES EFFECT ON MARCH 14th 14th, 2004, NOT MARCH 1st AS ORIGINALLY POSTED. FURTHER COMMENTS, QUESTIONS?

HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

OPPOSED?

NO, NO.

**Mayor Wynn:** MOTION PASSES ON THIRD READ BEING ON A VOTE OF 4-3 WITH THE MAYOR PRO TEM, COUNCILMEMBER ALVAREZ AND COUNCILMEMBER THOMAS VOTING NO. THANK YOU VERY MUCH. COUNCIL WILL NOW GO TO OUR 4:00 ZONING HEARINGS AND APPROVAL OF ORDINANCES AND RESTRICTIVE COVENANTS AND WE WILL WELCOME MS. ALICE GLASGO.

GOOD AFTERNOON, ALICE GLASGO DIRECTOR OF NEIGHBOR PLANNING AND ZONING DEPARTMENT. ITEM NO. Z-1 IS A REQUEST TO AMEND THE MONTOPOLIS NEIGHBORHOOD PLAN. STAFF IS REQUESTING A POSTPONE TO APRIL THE FIRST IN ORDER TO ALLOW THE COMMISSION TO RECOMMEND THE CASE TO YOU. ITEM NO. Z-2 IS A REQUEST TO AMEND AN ORDINANCE THAT ADOPTED THE NORTH LOOP NEIGHBORHOOD PLAN AS AN ELEMENT OF THE AUSTIN TOMORROW COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP FROM SINGLE FAMILY RESIDENTIAL TO MULTI-FAMILY RESIDENTIAL FOR PROPERTY LOCATED AT 505 AND 507 NELRAY BOULEVARD. THE CHANGE IN THE LAND USE MAP WOULD ALLOW FOR THE PROPOSED MULTI-FAMILY USE. THIS CASE IS RECOMMENDED BY THE PLANNING COMMISSION AND IS READY FOR ALL THREE READINGS. Z-2 IS READY FOR ALL THREE READINGS. ITEM NO. Z-3 C 14-04-05 THE SLAUGHTER LANE PUMP STATION LOCATED AT 7411 WEST SLAUGHTER LANE FROM INTERIM RURAL RESIDENTIAL TO P PUBLIC. THIS CASE IS READY FOR ALL THREE READINGS AS RECOMMENDED BY THE ZONING AND PLATTING COMMISSION. ITEM NO. Z-4, C14-03-180, THE HORIZON CENTER, LOCATED AT 13,497 U.S. HIGHWAY 183 NORTH. CHANGE IN ZONINGS FROM INTERIM SINGLE FAMILY 2 TO G.R.-C.O. WHICH STANDS FOR COMMUNITY COMMERCIAL CONDITIONAL OVERLAY FOR TRACT 1. AND C.S. 1-C.O. FOR COMMERCIAL LIQUOR SALES CONDITIONAL OVERLAY FOR TRACT 2. THE APPLICANT'S REQUEST WAS

RECOMMENDED BY THE ZONING ZONINGS AND THE CASE HE IS READY FOR ALL THREE READINGS. ITEM N Z-5, C14-03-167 THE GUADALUPE STREET LOTS OF LOCATED AT 4525 GUADALUPE STREETS, FROM C.S., WHICH STANLDZ FOR COMMERCIAL SERVICES TO COMMERCIAL SERVICES MIXED USE WITH A CONDITIONAL OVERLAY. THE PLANNING COMMISSION RECOMMENDS THE ZONING CHANGE. AS AMENDED -- I APOLOGIZE THE COMMISSION RECOMMENDED G.R.-M.U.-C.O. WHICH STANDS FOR COMMUNITY COMMERCIAL MIXED USE CONDITIONAL OVERLAY. THE APPLICANT ACCEPTS THAT RECOMMENDATION. HOWEVER, THE APPLICANT AND NEIGHBORHOOD WANTED ME TO MAKE YOU AWARE THAT THERE ARE SOME OUTSTANDING ISSUES THAT THEY ARE CONTINUE TO WORK ON BETWEEN NOW AND SECOND AND THIRD READINGS. THEY WANTED TO MAKE YOU AWARE OF THAT IN THE EVENT THAT THEY ARE NOT ABLE TO REACH AGREEMENT, WHEN THEY COME BACK FOR SECOND AND THIRD READINGS, THEY WILL MAKE YOU AWARE IF THEY ARE INDEED NOT IN AGREEMENT. FOR NOW THEY ARE IN AGREEMENT WITH THE UNDERSTANDING THAT THEY WILL CONTINUE TO WORK ON THOSE OUTSTANDING ISSUES BETWEEN NOW AND THEN. BUT THE CASE IS READY FOR FIRST READING. ITEM NO. Z-6 SOUTH SOUTH 161, THIS IS FOR PROPERTY LOCATED AT 1608 WEST 34th STREET. THE CHANGE IN ZONING IS FROM SINGLE FAMILY 3 TO NEIGHBORHOOD OFFICE WITH MIXED USE OVERLAY AND A CONDITIONAL OVERLAY. THE ZONING AND PLATTING COMMISSION RECOMMENDS KNOW-M.U.-C.O., NO-M.U.-C.O. READY FOR ALL THREE. ITEM NO. Z-7 LOCATED AT 505 AND 507 NELRAY BOULEVARD, THE CHANGE IN ZONING IS FROM SINGLE FAMILY 3 WITH A NEIGHBORHOOD PLAN OVERLAY TO MULTI-FAMILY 3 NP. THE PLANNING COMMISSION RECOMMENDS THE APPLICANT'S REQUEST AND THE CASE IS READY FOR FIRST READING. THIS IS RELATED TO ITEM NO. Z-2. Z-7, C14-03-154 SH THE STEINER TRACT. STAFF IS REQUESTING A POSTPONEMENT TO MARCH THE 4th. Z-9, -- SORRY? FOR TRACT 3:00 3 POSTPONE THAT TO AFTER THE FIRST, JANUARY TRACT 3. THE OTHERS TO MARCH THE 4th. ITEM NO. Z-9 9 9 SUIT C 14-09, THE CHAMPION TRACK POSTPONEMENT TO ALLOW THIS TO BE HEARD WITH ANOTHER COMPANION CASE. Z-10 C14-03-67, FREEDOM AUTO SALES, STAFF REQUESTING A POSTPONEMENT TO

MARCH THE 25th SO THIS COULD BE HEARD WITH THE BRENTWOOD HOLLOW NEIGHBORHOOD PLAN WHICH WE WILL BE BRINGING TO YOU ON THAT DATE. ITEM NO. Z-11 C14-03-178, WESTERN OAKS PHYSICAL FITNESS CENTER, LOCATED AT 4625 WEST WILLIAM CANNON DRIVE, THE CHANGE IN ZONING IS FROM LR, WHICH STANDS FOR NEIGHBORHOOD COMMERCIAL TO G.R., WHICH STANDS FOR COMMUNITY COMMERCIAL. THE ZONING AND PLATTING COMMISSION RECOMMENDATION IS TO GRANT G.R.-C.O. ON - - READY FOR ALL THREE READINGS. THE APPLICANT HAS AGREED TO COMPLY WITH THE -- WITH THE IPM, WHICH IS INTEGRATED PEST MANAGEMENT AND GROW GREEN STANDARDS ON THE ENTIRE SITE EVEN THOUGH THE ENTIRE SITE IS NOT IN FOR REZONING, HE'S AGREEING TO APPLY THOSE STANDARDS TO THE ENTIRE SHOPPING CENTER. THE ZONING BEFORE YOU IS JUST FOR FOOTPRINT. JUST A PORTION OF THE SITE. BUT HE -- HE REALIZES THAT THE PROJECT WAS -- WAS APPROVED ALTHOUGH NOT BUILT UNDER -- UNDER OLD WATER QUALITY REGULATIONS, HE IS AGREEING TO ENCUMBER THE REMAINDER OF THE PROPERTY WITH THOSE REQUIREMENTS TO -- TO IMPROVE THE WATER QUALITY AND MR. LINDEHAN IS AGREEABLE TO STATE THAT FOR THE RECORD. THIS IS READY FOR ALL THREE READINGS. THAT CONCLUDES MY PRESENTATION ON CONSENT ITEMS. WIN WIN THANK YOU. WENT WIN THANK YOU, IF YOU CAN CHECK ME ON THIS. Z-1 POSTPONEMENT TO APRIL 1st -- WE ARE ACTUALLY GOING TO TRY TO DO A NEIGHBORHOOD PLAN ON APRIL FOOL'S DAY? SORRY. Z-1 POSTPONEMENT TO APRIL 1st. Z-2, Z-3 AND Z-4 ON ALL THREE READINGS. Z-5 FIRST READING ONLY. Z-6 THREE READINGS. Z-7, FIRST READING ONLY. Z-8, POSTPONEMENT TO MARCH 4th.

Glasgo: YEAH, MARCH 4th FOR -- FOR ALL OF THE TRACTS EXCEPT TRACT 3, WHICH IS BEING POSTPONED TO APRIL -- APRIL 1st. Z-8 BREAKING THEM UP AND TAKING ALL OF THE TRACTS EXCEPT FOR TRACT 3 POSTPONEMENT TO MARCH 4th, TRACT 3 HEARD ON APRIL 1st 1st.

Glasgo: CORRECT.

**Mayor Wynn:** Z-9 AND 10 POSTPONED TO MARCH 25th AND Z-

11 ON ALL THREE READINGS.

Glasgo: CORRECT.

**Mayor Wynn:** I'LL ENTERTAIN A MOTION.

SO MOVE.

SECOND.

**Mayor Wynn:** MOTION MADE BY COUNCILMEMBER DUNKERLY. SECONDED BY COUNCILMEMBER MCCRACKEN TO CLOSE THE PUBLIC HEARING AND APPROVE THE CONSENT AGENDA AS READ. COMMENTS, COUNCILMEMBER SLUSHER?

**Slusher:** YES, MAYOR. ON Z-11, MS. GLASGO, THAT'S ON THE CONSENT, MAYOR, Z-11.

**Mayor Wynn:** YES, ALL THREE READINGS.

**Slusher:** MS. GLASGO, I TALKED TO THE APPLICANTS ABOUT HAVING THE GROW GREEN PROGRAM APPLY TO THE WHOLE TRACT NOT JUST THE -- THE WHOLE DEVELOPMENT NOT JUST THE TRACT IN QUESTION HERE. I SEE MR. LINEHAN COMING, TELL ME IF WE CAN DO THAT AND PASS IT ON ALL THREE TODAY.

WE WOULD LIKE TO READ INTO THE RECORD THAT THE APPLICANT HAS AGREED TO AMENDING THE RESTRICTIVE COVENANT IN THE BACKUP PACKET TO INCLUDE THE ENTIRE SITE PLAN TO ALLOW FOR THE GROW GREEN PROGRAM AND THE IPM PROGRAM ON THE ENTIRE SITE. AND THAT SITE IS LOT 15 OF THE JW SMITH WESTERN OAKS SUBDIVISION, I THROUGH G AS RECORDED IN VOLUME 76, PAGE 324 OF THE TRAVIS COUNTY PLAT RECORDS, TRAVIS COUNTY, TEXAS.

THANK YOU, MR. LINEHAN.

THAN YOU.

**Slusher:** IS THAT SUFFICIENT TO DO IT ON ALL THREE READINGS?

Glasgo: YES, THIS IS FOR THE FOOTPRINT ONLY BUT FOR THE ENTIRE SITE WE WERE HOPE THANK BY HIM READ THANK INTO THE RECORD THAT HE WILL THEN PROVIDE THE PROPER DOCUMENTATION LATER ON. HOWEVER, IF YOU WANT TO SEE THAT DOCUMENT YOU WOULD HAVE TO APPROVE IT ON FIRST READING ONLY BECAUSE HE'S AGREEING TO ENCUMBER THE REMAINDER OF THE PROPERTY WITH THAT CONDITION WHICH IS NOT PART OF THE CURRENT CASE. BECAUSE YOU HAVE THE BIG, THE ENTIRE SITE AND HE'S ONLY REZONING A FOOTPRINT.

**Slusher:** HOW LONG DO YOU THINK THAT WILL TAKE MR. LINEHAN BEFORE THAT HAPPENINGS.

WE HAVE ALREADY GIVEN THAT INFORMATION TO THE CITY STAFF. THEY HAVE THAT PLAT RECORD. SO THAT THE RESTRICTIVE COVENANT WILL BE ON THE ENTIRE PLAT NOT JUST ON THE G.R. ZONING SITE SO WE HAVE ACCOMPLISHED THAT.

**Slusher:** MS. GLASGO --

[INDISCERNIBLE]

COUNCILMEMBER, IF I CAN HELP, WE HAVE THE INFORMATION. THE RESTRICTIVE COVENANTS HAVE NOT BEEN DRAFTED BECAUSE WE JUST GOT THAT INFORMATION. SO WE WOULD -- WE NEED, IF YOU WANT TO DO IT ON FIRST READING TODAY, WE WILL NEED TO GET THE RESTRICTIVE COVENANT DRAFTS. THEY ARE PRETTY PRO FORMA, THE SAME ONE THAT'S WE HAVE USED OVER AND OVER AGAIN. WE WILL NEED TO CHECK THE LEGAL DESCRIPTION THAT HE HAS GIVEN US. SO THEORETICALLY --

**Slusher:** HOW ABOUT FIRST READING, BROUGHT IT BACK NEXT WEEK RATHER THAN --

THE RESTRICTIVE COVENANT HAS ALREADY BEEN DRAFTED. THE ONLY THING THAT'S BEEN CHANGED INSTEAD OF THE MEETS AND BOUND WE GAVE YOU A LEGAL LOT, THAT'S ALL THAT NEEDED TO BE DONE.

THAT'S CORRECT, BUT IT IS PRO FORMA, BUT WE DO NEED

TO CHECK THE LEGAL AND MAKE SURE THAT IT'S ADEQUATE. NEXT WEEK WOULD BE JUST FINE. WE CAN HAVE IT DONE BY NEXT WEEK. IF YOU WANT TO WAIT. OR ALL THREE READINGS TODAY AND JUST FIGURE IT OUT THAT WE WILL GET DONE AND DONE RIGHT.

**Slusher:** WHY DON'T WE GO AHEAD AND DO IT ON ALL THREE, YOU ALL GET IT DONE BY NEXT WEEK. I'M SURE THAT YOU WILL LET ME KNOW IF IT DOESN'T WORK OUT.

WE WILL BE HAPPY TO LET YOU KNOW IF THERE ARE PROBLEMS.

OKAY.

**Mayor Wynn:** I'M SORRY, SO Z-11 REMAINS ON ALL THREE READINGS.

**Slusher:** THAT'S RIGHT. MAYOR, ONE MORE COMMENT THAT I WANTED TO MAKE. ON Z-7 I THINK THIS IS A GOOD PROJECT. ONE THE STAFF DOESN'T RECOMMEND, THE NEIGHBORHOOD VOTED FOR IT AND Z.A.P. VOTED FOR IT. I WANTED TO GO ON RECORD SAYING THAT THE RESPECT THE STAFF'S RECOMMENDATION THERE TRYING TO COMPLY WITH THE NEIGHBORHOOD PLAN AND WITH KEEPING IT SINGLE FAMILY. BUT I THINK THIS IS A FAIRLY UNIQUE CASE. I WOULDN'T WANT THE STAFF TO CONSIDER THIS AS A PRECEDENT FOR FUTURE RULINGS THAT THE COUNCIL WOULD VOTE FOR THIS. BUT IT'S A FAIRLY UNIQUE PROJECT. THE APPLICANT WORKED VERY CLOSELY WITH THE NEIGHBORHOOD, HAS THE NEIGHBORHOOD SUPPORT. JUST WENT THROUGH A LENGTHY NEIGHBORHOOD PLAN AND IT'S -- IT'S CLOSE TO GUADALUPE HERE, CLOSE TO THE ENTRANCE OF THE NEIGHBORHOOD. I THINK THERE'S SOME UNIQUE FACTORS THAT -- THAT CALL FOR US TO -- TO SUPPORT IT. BUT I JUST WANTED TO GO ON RECORD SO STAFF COULD UNDERSTAND THE THINKING ON THIS.

THANK YOU, COUNCILMEMBER. FURTHER COMMENTS ON THE CONSENT AGENDA? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Wynn: OPPOSED? CONSENT AGENDA PASSES ON A VOTE OF 6-0 WITH COUNCILMEMBER THOMAS OFF THE DAIS.

Glasgo: THANK YOU, COUNCILMEMBERS.

**Mayor Wynn:** THANK YOU, MS. GLASGO.

**Mayor Wynn:** COUNCIL, WITH NO MORE DISCUSSION ITEMS BEFORE OUR 6:00 TIME CERTAIN, WE DO STILL HAVE PERSONNEL MATTERS, ITEM NO. 36 RELATED TO OUR CITY CLERK, SO AT THIS TIME OUT OBJECTION WE WILL GO INTO CLOSED SECTION UNDER 551.074 OF THE OPEN MEETINGS ACT TO DISCUSS PERSONNEL ITEMS, AGENDA ITEM NO. 36 RELATED TO OUR CITY CLERK. I DON'T ANTICIPATE THIS TAKING LONGER THAN UP UNTIL 6:00 P.M., SO AT SOME POINT I'LL PROBABLY COME OUT OF CLOSED SESSION AND ANNOUNCE THAT WE ARE RECESSED UNTIL OUR -- OUR 5:30 LIVE MUSIC AND PROCLAMATIONS. THANK YOU VERY MUCH.

**Mayor Wynn:** EVENING, FOLKS. IT'S TIME FOR OUR 5:30 LIVE MUSIC SESSION HERE AT THE AUSTIN CITY COUNCIL MEETING. JOINING US TODAY IS LEO STOKES. LEO WAS BORN AND RAISED IN INDIANA AND ATTENDED INDIANA UNIVERSITY. BUT QUICKLY REALIZED HE NEEDED TO BE IN AUSTIN, TEXAS, PRACTICING THE COUNTRY MUSIC TRADE. SO IT'S WITH GREAT PLEASURE THAT I INTRODUCE TODAY LEO STOKES. [ APPLAUSE ] [ (music) MUSIC PLAYING (music)(music) ] [ APPLAUSE ] [ APPLAUSE ]

THANK YOU, THANK YOU.

**Mayor Wynn:** WELL DONE. SO LEO, TELL US WHERE WE CAN HEAR YOU AGAIN, BUY CD'S.

ABSOLUTELY. PLEASE GO OUT TO [WWW.LEOSTOKES.COM](http://WWW.LEOSTOKES.COM) FOR OUR COMPLETE SCHEDULE. I'D LIKE TO SAY A COUPLE OF THINGS. WE HAVE A BENEFIT FOR HANNAH HOWELL. WE'RE TRYING TO RAISE SOME MONEY FOR THAT CAUSE. SO

PLEASE COME OUT FOR THAT. WE'RE ALSO GOING TO BE AT THE BROKEN SPOKE, THE GOOD OLD HISTORIC BROKEN SPOKE FOR THE SOUTH BY SOUTHWEST CONFERENCE ON MARCH 17TH. AND PLEASE COME OUT AND JOIN US FOR THE STAR OF TEXAS RODEO FINALS. WE'LL BE OUT AT THE CHUTE CLUB FOLLOWING THE GREAT TRACY BYRD. SO COME OUT THERE.

WE'LL HAVE THE WHOLE BAND.

WE'LL HAVE THE WHOLE BAND.

**Mayor Wynn:** BEFORE YOU GET AWAY, WE HAVE THIS PROCLAMATION. BE IT KNOWN THAT WHEREAS THE LOCAL MUSIC COMMUNITY MAKES MANY CONTRIBUTIONS TOWARDS THE DEVELOPMENT OF AUSTIN'S SOCIAL, ECONOMIC AND CULTURAL DIVERSITY AND WHEREAS THE DEDICATED EFFORTS OF ARTISTS FURTHER AUSTIN'S STATUS AS THE LIVE MUSIC CAPITOL OF THE WORLD, NOW THEREFORE I, WILL WYNN, MARY OF THE CITY OF AUSTIN, TEXAS, DO HERE BY PROCLAIM TODAY, FEBRUARY 26TH, 2004, AS LEO STOKES DAY IN AUSTIN AND CALL ON ALL FOLKS TO CONGRATULATE THIS GREAT TALENT IN OUR TOWN. [ APPLAUSE ]

**Mayor Wynn:** OUR FIRST PROCLAMATION I'M JOINED BY JUAN GARZA, THE MANAGER OF AUSTIN ENERGY, REGARDING THE SCIENCE FESTIVAL 2004. THIS PROCLAMATION READS, BE IT KNOWN THAT WHEREAS SCIENCE FESTIVAL 2004 WILL SHOWCASE THE TALENT OF MORE THAN 1500 PRE-K THROUGH HIGH SCHOOL STUDENTS FROM PUBLIC, HOME AND PRIVATE SCHOOLS THROUGHOUT THE AUSTIN AREA. AND WHEREAS SCIENCE FARES LIKE SCIENCE FESTIVAL 2004 ARE ENTERTAINING AND EDUCATIONAL EVENTS THAT ALSO HELP TO POPULARIZE SCIENCE AND INTEREST CHILDREN IN PURSUING SCIENCE, MATH AND ENGINEERING CAREERS. AND WHEREAS WE CONGRATULATE THE PARTICIPANTS, ESPECIALLY THOSE WINNING PROJECTS, WHO WILL GO ON TO STATE AND INTERNATIONAL COMPETITIONS. AND WE THANK AUSTIN ENERGY, OUR COMMUNITY OWNED ELECTRIC UTILITY, FOR SPONSORING THIS EVENT NOW IN ITS FIFTH YEAR. SO THEREFORE I, WILL WIN, MAYOR OF THE CITY OF AUSTIN, TEXAS, DO HERE BY PROCLAIM FEBRUARY 26TH

THROUGH 28TH, 2004 AS AUSTIN ENERGY REGIONAL SCIENCE FESTIVAL EXPLORING THE ENDLESS FRONTIERS. AND I WANT TO CONGRATULATE AND CALL ON MR. JUAN GARZA TO SAY A FEW WORDS ABOUT THIS AND ABOUT OUR GREAT YOUNG PEOPLE. JUAN? [ APPLAUSE ]

WELL, THANK YOU VERY MUCH, MAYOR. I'D LIKE TO INVITE AS MANY PEOPLE AS CAN COME OUT TO SEE THESE KIDS. WE'LL HAVE 11 DIFFERENT SCHOOL DISTRICTS REPRESENTED. WE WILL HAVE 70 SCHOOLS ALONE FROM AISD. WE HAVE 1800 PROJECTS THAT ARE BEING SHOWN THE NEXT COUPLE OF DAYS. THE MIDDLE AND SENIOR HIGH KIDS WILL GO TOMORROW AND THE LITTLE KIDS WILL GO SATURDAY AND IT WOULD BE A LOT OF FUN. [ APPLAUSE ]

WELCOME BACK MS. JEAN MUELLER HERE FOR OUR NEXT PROCLAMATION, WHICH IS TRAIL RIDE MONTH. AND IT READS, BE IT KNOWN THAT WHEREAS THE 20TH ANNUAL AUSTIN FOUNDERS TRAIL RIDE, LED BY TRAIL BOSS JEAN MUELLER RECREATES OLD WESTERN CATTLE DRIVES AND WAGON TRAINS WITH HORSES, MULES AND COVERED WAGONS, TRAVELLING 102 MILES FROM UNLAWFULS THROUGH THE -- NEW BRAUNFELS THROUGH THE BEAUTIFUL TEXAS HILL COUNTRY. AND AFTER STOPS IN CANYON LAKE, FISHER, WIMBERLEY, DRIFTWOOD AND BUDA, THE ULTIMATE DESTINATION IS THE 67TH ANNUAL AUSTIN STAR OF TEXAS FAIR AND PRAC RODEO AT THE TRAVIS COUNTY EXPO TR. WHEREAS EVERYONE IS ENCOURAGED TO HEAD 'EM UP AND MOVE 'EM OUT, WAGON HO FOR THIS HISTORIC EVENT WITH HIDERS ACROSS THE USA AND ACROSS THE WORLD. NOW THEREFORE I, WILL WYNN, MAYOR OF THE CITY OF AUSTIN, TEXAS, DO HERE BY PROCLAIM MARCH 2004 AS TRAIL RIDE MONTH IN AUSTIN AND CALL ON OUR FAVORITE BUCKERETTE, JEAN MUELLER, TO SAY A FEW WORDS ABOUT THIS EA EENT.

THANK YOU SO MUCH, MAYOR WYNN AND AUSTIN CITY COUNCIL. WELL, HEAD 'EM UP, MOVE 'EM OUT, WAGONS HO! IT'S TRAIL RIDE AND RODEO TIME IN TEXAS. I'M JEAN MUELLER, THE TRAIL BOSS AND CHAIRMAN OF THE TEXAS FAIR AND RODEO. I'M PROUD TO SAY THAT I'VE BEEN ON THE AUSTIN FOUNDERS TRAIL RIDE FOR 20 YEARS. WE WANT YOU TO COME OUT AND CELEBRATE OUR 20TH

ANNIVERSARY THIS YEARMENT WE'VE BEEN ON THE TRAIL FOR 20 YEARS KICKING OFF ORIGINALLY THE AUSTIN DISTRICT LIVESTOCK SHOW AND RODEO AND IT'S NOW CALLED THE TEXAS STAR FAIR AND RODEO. WE'LL START OFF MARCH THE FIFTH. WE'LL HITCH UP EVERYTHING AND THE STAGE COACHES AND GET READY TO COME ON A 10-DAY ROAD FOR 102 MILES FROM THE BEAUTIFUL TEXAS HILL COUNTRY FROM UNLAWFUL DOWN THE GUADALUPE TO CANYON LAKE. THE STAGE STOP RANCH IN FISHER AND THEN THE WIMBERLEY RODEO GROUNDS. THEN WE'LL BE COMING ON INTO THE STORM RANCH, OWNED BY LYNN STORM. AND THEN CAMPING AT THE HISTORIC CAMP IN MCCOLLOUGH. AND WE'RE GOING TO HAVE COLLEEN REESE AS OUR BAND TUESDAY NIGHT. AND DUSTY BRINCHZ AND THE RANCH HANDS ARE COMING IN FOR THE SATURDAY NIGHT DANCE. SO IT'S A VERY SPECIAL WEEK. WE'LL BE ENDING UP AT THE RUBY RANCH AND COMING IN ON SATURDAY MARCH THE 15TH TO KICK OFF OPENING NIGHT AT THE FAIR AND RODEO. WHICH OPENING NIGHT THIS YEAR IS GOING TO BE EXTREME BULL RIDING. IT RUNS THE 13TH THROUGH THE 27TH. IF YOU'VE NEVER BEEN ON A TRAIL RIDE WE WOULD LOVE TO HAVE YOU JOIN US. IT'S A VERY SPECIAL WAY TO ENJOY BEAUTIFUL TEXAS BLUEBONNETS AND WILDFLOWERS ON THE TRAIL, SEEING THE TEXAS HILL COUNTRY AT ITS BEST AND TEXAS TWO STEPPING AT THE DANCES, PLAYING GUITARS AROUND A BLAZING CAMPFIRES UNDERNEATH THE STARS AND EATING GREAT FOOD FROM THE MANCHACA FIRE HALL KITCHEN AT THEIR CHUCK WAGON. IT'S A SPECIAL WEEK ON HORSEBACK. WE HAVE RIDERS THAT COME FROM ALL OVER TEXAS, LOUISIANA, NEW MEXICO, OKLAHOMA, MISSISSIPPI, FLORIDA, WISCONSIN, MASSACHUSETTS, WASHINGTON STATE, BOSTON, MASSACHUSETTS. THEY COME FROM ALL OVER THE WORLD, EVEN FROM GERMANY. SO IT'S BECOME A RATHER NATIONAL EVENT AND INTERNATIONAL EVENT. BUT WE'D LIKE TO WISH YOU HAPPY TRAILS AND WE'VE GOT OUR MEMBERSHIP FOR THE MAYOR AND THE AUSTIN CITY COUNCIL, SO WE HOPE YOU'LL COME. [ APPLAUSE ]

**Mayor Wynn:** SO EXTREME BULL RIDING IS LIKE ZONING CASES FOR THE AUSTIN CITY COUNCIL, RIGHT? [ LAUGHTER ] THIS DISTINGUISHED SERVICE AWARD MADE ME VERY

NERVOUS WHEN I SAW PETER COLLINS AND I THOUGHT SURELY PETER IS NOT LEAVING US.

EVERYBODY STARTED SAYING WHY, PETE?

**Mayor Wynn:** LUCKILY THIS ONE IS SIMPLY -- IT'S IMPORTANT, BUT IT'S SIMPLY FOR PROJECT MANAGEMENT AND PETE HAS A LONG TENURE WITH THE CITY FOR US. HE IS WELL DESERVED OF THIS DISTINGUISHED SERVICE AWARD. THIS DISTINGUISHED SERVICE AWARD FOR DISTINGUISHED SERVICE IN THE CONSTRUCTION MANAGEMENT AND DOAMENT OF THE 911 COMBINED EMERGENCY CALL CENTER, PETER COLLINS, PROJECT MANAGER, IS DESERVING OF PUBLIC ACCLAIM AND RECOGNITION. MR. COLLINS EXPEDITED THE PROJECT THROUGH INNOVATIVE TEAMWORK WITH THE CITY OF AUSTIN ARCHITECTS, ENGINEERS AND CONTRACTORS. THE NEW CALL CENTER BENEFITS THE CITIZENS OF AUSTIN AND TRAVIS COUNTY BY PROVIDING A MORE SECURE AND SAFE ENVIRONMENT. THIS CERTIFICATE IS PRESENTED IN ACKNOWLEDGMENT AND APPRECIATION FOR HIS FINE EFFORTS THIS 26TH DAY OF FEBRUARY, 2004, SIGNED BY MAYOR WYNN, MAYOR PRO TEM GOODMAN, COUNCILMEMBERS SLUSHER, ALVAREZ, DUNKERLEY, MCCRACKEN AND THOMAS. AND I WILL SAY IT'S A VERY IMPRESSIVE STRUCTURE, AND THIS DISTINGUISHED SERVICE AWARD REALLY DOESN'T DO JUSTICE TO HOW COMPLEX THE ASSIGNMENT REALLY WAS BECAUSE IT COMBINES BOTH THE CITY OF AUSTIN, TRAVIS COUNTY, AISD, THE STATE OF TEXAS AND OTHER -- CAPITAL METRO AND OTHER JURISDICTIONS INTO ONE EMERGENCY CENTER. ONE STOP SHOP FOR VERY IMPORTANT DAYS IN THIS COMMUNITY, FROM STORMS TO OTHER EMERGENCIES. AND I'VE HAD A COUPLE OF TOURS THAT'S VERY IMPRESSIVE. WE'VE HAD U.S. SENATORS COME TO TOWN TO LOOK AT IT BECAUSE THEY THINK OF IT AS A NATIONAL MODEL. AND AGAIN, WE PLANNED AND FINANCED AND STARTED CONSTRUCTING THIS PROJECT BEFORE SEPTEMBER 11TH, TWIEWN, SO WE ACTUALLY WERE AHEAD OF THE CURVE AND WERE SEEMINGLY THE MODEL FOR COMMUNITIES THROUGHOUT THE COUNTRY THAT ARE TRYING TO FIGURE OUT HOW DO WE COMBINE EMERGENCY SERVICES INTO ONE SHOP TO BE MORE EFFICIENT AND KEEP OUR COMMUNITIES SAFER. AND SO WITH THAT I'D LIKE TO

INTRODUCE MR. PETER COLLINS AND SAY A FEW WORDS ABOUT THE PROJECT AND CONGRATULATE HIM ON A JOB WELL DONE. [ APPLAUSE ]

MAYOR, DO I HAVE 30 MINUTES?

**Mayor Wynn:** NO, THREE. [ LAUGHTER ]

I JUST WANT TO SAY THANK YOU VERY MUCH. IT WAS A QUITE DIFFICULT PROJECT TO UNDERTAKE. THERE WAS A LOT OF PEOPLE INVOLVED, DIFFERENT AGENCIES, DIFFERENT USER TEAM MEMBERS, FIRE AND E.M.S., COUNTY, TXDOT, CAPITAL METRO. I'M PROBABLY GOING TO LEAVE SOME PEOPLE OUT AND THEY'LL CALL ME LATER. NUMEROUS AMOUNT OF VENDORS, SUBCONTRACTORS, MICHAEL VAN HOLEN WAS THE PERSON ON THE JOB AND HE RECOGNIZED THE COMPLEXITY OF THE FACILITY. BUT THERE'S ONE THING THAT I HEAR WHEN I READ THIS IS THAT WHEN I'M REALLY RESPONSIBLE FOR HERE IS CREATING THE TEAM AND THE ENVIRONMENT TO GET THE JOB DONE, BUT WITHOUT THE SUPPORT OF THE MAYOR, CITY COUNCIL, AND ESPECIALLY THE CITY MANAGER, TOBY FUTRELL, THIS WOULD NOT HAVE HAPPENED. AND ALSO THE STRONG SUPPORT OF COUNCILMEMBER DUNKERLEY, WHO WAS ALSO AT THE TIME ON THE OTHER SIDE, AND ESPECIALLY JOHN STEPHENS, TO HAVE THE FAITH, BETTY AND COUNCILMEMBER DUNKERLEY AND JOHN STEPHENS TO HAVE THE FAITH, AND TOBY, THAT ACTUALLY I WAS THE RIGHT PERSON TO LEAD THE CHARGE HERE. AND BELIEVE ME, TOBY HELPED ME THROUGH MANY DIFFERENT TIMES OF TRYING TO GO ABOUT IT THE RIGHT WAY AND BUILD THAT UNITY TO GET THE JOB DONE. SO MY HAT IS OFF TO EVERYBODY THAT WAS ON THE TEAM, AND ALL THE SUPPORT THAT WE RECEIVED THROUGHOUT THE PROJECTS. AND PAM HEART, KAREN, THERESA REAL, THEY'VE DONE A GOOD JOB FOR ALL OF US. AND THERESA WAS ACTUALLY WORKING FOR THE COUNTY. SHE'S THE GENERAL MANAGER OF THE FACILITY, BUT I SAW A GREAT OPPORTUNITY, LET'S POINT THIS OUT REAL QUICK, SO WE SNATCHED HER FROM THE COUNTY. SORRY, EVERYBODY. BUT IT BEEN A WIN-WIN. AND WHAT'S NEAT ABOUT THE PROJECT, THE SPIRIT OF COOPERATION HAS NOW CONTINUED IN OPERATIONS, WHICH WAS AN EXTREMELY

KEY POINT. AND ALL THE DIFFERENT CULTURES CAME TOGETHER AND IT IS A BENEFIT TO ALL. SO THANK YOU ALL AND THANK YOU FOR EVERYBODY THAT WORKED ON THE TEAM. THEY MADE IT A SUCCESS. THANK YOU. [ APPLAUSE ]

**Mayor Wynn:** THIS IS A BIG RISK, BUT I'D LIKE TO ASK MICHAEL VAN OLEN TO SAY A FEW WORDS.

THAT'S WHY I WROTE IT DOWN, MAYOR, SO IT WILL BE WAY LESS THAN THREE MINUTES.

MY NAME IS MICHAEL VAN OLEN. WE HAD AN OPPORTUNITY TO WORK ON THIS PROJECT. ALL TOO OFTEN WE READ OR HEAR OF THE NEGATIVE ASPECTS OF WORKING WITH THE CITY AND THE DIFFICULTY WITH PROJECT MANAGERS AND MANAGEMENT. WE RARELY HEAR THE POSITIVE ASPECTS OF WORKING WITH THE CITY AND THE MANY PROACTIVE AND POSITIVE PEOPLE WORKING WITH THE CITY LIKE PETER. PETER COLLINS IS ONE OF THOSE INDIVIDUALS. PETER HAD THE UNENVIABLE RESPONSIBLE FOR DEALING WITH NOT ONE, BUT SEVERAL GOVERNMENT AGENCIES AND A BUREAUCRACY THAT COMES WITH THAT, SO HE SHOULD BE GETTING A PURPLE HEART, BUT I WISH WE COULD DO MORE FOR HIM. EVERYBODY THAT PARTICIPATED WITH THE 911 PROJECT AND THE CONTRACTING ASPECT REALIZED HOW VALUABLE PETER IS. AND THE CITY DOES HAVE A VERY -- A GENTLEMEN, I GUESS -- A JEM, I GUESS I'D SAY WITH PETER. PETER, I WISH WE COULD DO MORE FOR YOU, BUT YOU DESERVE MUCH MORE AND YOU DID A GOOD JOB OUT THERE AND I'M PROUD TO SAY THAT I ACTUALLY WORKED ON IT AND HAD AN OPPORTUNITY TO WORK WITH YOU. [ APPLAUSE ]

I JUST WANT TO TELL THE STORY ABOUT PETE BECAUSE IT'S ONE OF THE COOLEST STORIES AND IT'S SOMETHING THAT PEOPLE MAY NOT KNOW ABOUT PETE IS PETE USED TO BE A POLICE OFFICER, AND HE TECHNICALLY MAY STILL BE. BUT THE WAY THAT PETE BECAME KIND OF OUR KING PIN OF DIGITAL GOVERNMENT AND INNOVATION IN AUSTIN WAS ONE NIGHT ON PATROL HE WAS PULLED OVER -- HE PULLED OVER SOMEONE AND SO HE CALLED IT IN AND THE SYSTEM WAS DOWN, SO PETE IS HANDLING THE STOP AND SUDDENLY I GUESS HE GETS WORD HALFWAY THROUGH

THE STOP THAT HE WAS DEALING WITH A VIOLENT ESCAPEE OF SOME SORT OR A FELON. AND SO THIS PUT PETE AT RISK. SO PETE'S RESPONSE TO THAT WAS TO GO BACK AND WRITE A NEW SOFTWARE CODE FOR THE DISPATCH SYSTEM WHICH THE POLICE DEPARTMENT USED FOR YEARS AFTERWARDS. SO THIS IS A GUY WHO IS A REAL RENAISSANCE MAN AND WE'RE LUCKY TO HAVE HIM. [ APPLAUSE ]

**Mayor Wynn:** TRISH YOUNG IS GOING TO JOIN ME FOR THIS PRESENTATION FOR CHARLES HILL DISTINGUISHED SERVICE AWARD. FOR HIS UNTIRING SERVICE AND COMMITMENT TO CITIZENS OF AUSTIN DURING TWO STINTS AS A DEDICATED EMPLOYEE AT THE CITY OF AUSTIN. CHARLES HILL IS DESERVING OF PUBLIC ACCLAIM AND RECOGNITION. MR. HILL SERVED AS A STAFF DEVELOPMENT SPECIALIST IN THE CITY'S HUMAN RESOURCES DEPARTMENT AND MOST RECENTLY AS THE HUMAN RESOURCES MANAGE MANAGER FOR THE COMMUNITY CARE SERVICES DEPARTMENT. WE EXTEND OUR BEST WISHES FOR A RETIREMENT FULL OF GREENER PASTURES AS HE ENJOYS FISHING AND TEACHING HIS GRANDCHILDREN FARM LIFE. THIS CERTIFICATE IS ISSUED IN ACKNOWLEDGMENT AND APPRECIATION FOR HIS 10-YEAR CAREER THIS 26TH DAY OF FEBRUARY OF THE YEAR 2004 BY ALL THE COUNCILMEMBERS AND MYSELF. AND I WILL LIKE TO ASK TRISH YOUNG TO SAY A FEW WORDS ABOUT CHARLES HILL. CONGRATULATIONS, CHARLES. [ APPLAUSE ]

WE'RE STILL IN MOURNING BECAUSE CHARLES JUST RETIRED A FEW WEEKS AGO AND WE'RE STILL TRYING TO MAKE ADJUSTMENTS. BUT I AM SO PLEASED TO BE ABLE TO DO THIS TONIGHT BECAUSE CHARLES HAS BEEN ONE OF THE MOST INVALUABLE PEOPLE TO ME. I CAME TO WORK FOR THE CITY IN OCTOBER OF 2000, SO I GUESS IT'S BEEN ABOUT THREE AND A HALF YEARS. AND HE HAS BEEN MY RIGHT HAND MAN LITERALLY. THROUGH THAT TIME. REALLY JUST MAKING SURE I WAS DOING EVERYTHING RIGHT AND TELLING ME HOW TO MAKE MY WAY IN THE CITY AND JUST SUPPORTING THE DEPARTMENT OVERALL. AND HE'S VERY, VERY SORELY MISSED AND HAS LEFT HIS LEGACY, AND WE STILL KNOW WHERE TO FIND HIM. [ LAUGHTER ] [ APPLAUSE ]

THANK YOU, MAYOR, COUNCIL. I'VE HAD THE OPPORTUNITY TO WORK WITH THE VERY BEST DEPARTMENT IN THE WHOLE CITY OF AUSTIN, THE COMMUNITY CARE SERVICES DEPARTMENT. ITS INITIAL DIRECTOR, TRICIA YOUNG. IT'S BEEN A GREAT EXPERIENCE, A GREAT OPPORTUNITY. IT WAS A HARD DECISION, BUT RETIREMENT CALLS US ALL SOONER OR LATER. AND I'M HAVING A BLAST RIGHT NOW. [ LAUGHTER ] TRISH, THANK YOU SO VERY MUCH FOR THE OPPORTUNITY. IT'S BEEN A PLEASURE. CONTINUE TO DO WHAT WE ALL SET OUT TO DO. THANK YOU. [ APPLAUSE ]

**Mayor Wynn:** THEY'RE GETTING WEIGHTIER AS WE MOVE THROUGH THE AGENDA. THIS DISTINGUISHED SERVICE AWARD IS DAVID WALKER, AND IT READS, FOR HIS VISION AND CREATIVITY IN ENHANCING THE FLOOD EARLY WARNING SYSTEM, FOR HIS PERSEVERANCE WHEN MANAGING CAPITAL IMPROVEMENT PROJECTS AND TEAM TEAMWORK IN HIS POSITIONS IN THE CONSTRUCTION, DESIGN, STORM WATER MANAGEMENT AND PROJECT MANAGEMENT DIVISIONS OF THE PUBLIC WORKS DEPARTMENT. AND THE WATERSHED ENGINEERING DIVISION OF THE WATERSHED PROTECTION AND DEVELOPMENT REVIEW DEPARTMENT FOR BEING CALM, CONFIDENT AND CREATIVE THROUGH CRISIS, NEGOTIATIONS AND DIFFICULT SITUATIONS AND FOR BEING WISE AND KNOWLEDGEABLE IN THE WORKINGS OF HUMAN NATURE, DAVID WALKER IS DESERVING OF ACCLAIM AND RECOGNITION -- I DON'T WRITE THESE, DAVID. THERE IS NO GREATER CALLING THAN PUBLIC SERVICE. THANK YOU TO THE SERVICE OF OUR CITIZENS AND THE CITY OF AUSTIN FOR YOUR 26-YEAR CAREER BY THE ENTIRE AUSTIN CITY COUNCIL. CONGRATULATIONS MR. DAVID WALKER. [ APPLAUSE ]

I'M NOT WISE ENOUGH TO SIT DOWN. [ LAUGHTER ] I DON'T KNOW IF YOU HAVE ANY 6:00 O'CLOCK TIME CERTAIN ITEMS, BUT IN THE INTEREST OF BREVITY, I'LL KEEP IT SHORT AND SAY THAT I TAKE EXCEPTION WITH MR. HILL, WHO SAID HE WORKED FOR THE FINEST DEPARTMENT IN THE CITY. [ LAUGHTER ] I REALLY HAVE BEEN PRIVILEGED TO WORK WITH THE CITY FOR 20 YEARS, AND TOTALLY IMPRESSED WITH THE COMMITMENT AND THE HARD WORK AND THE DEDICATION TO THE CITIZENS OF EMPLOYEES IN ALL THE DEPARTMENTS THAT I'VE WORKED WITH AND IN ALL THE

DIVISIONS. AND I REALLY WASN'T LOOKING TO LEAVE THE CITY AT THIS TIME, BUT THE RIGHT JOB AT THE RIGHT TIME CAME ALONG AND I WILL STILL BE HERE IN TOWN WORKING WITH THE LOWER COLORADO RIVER AUTHORITY ON SIMILAR TYPE PROJECTS RELATED TO FLOOD CONTROL, FLOOD HAZARD MITIGATION, THAT TYPE OF STUFF. AND I'M SURE OUR PATHS WILL CONTINUE TO CROSS. SO THANK YOU VERY MUCH FOR THIS AWARD. [ APPLAUSE ]

**Mayor Wynn:** AND WE WILL RECONVENE THE CITY COUNCIL MEETING AFTER A SHORT BREAK. THANK YOU.

**Mayor Wynn:** WE ARE OUT OF CLOSED SESSION. IN CLOSED SESSION WE TOOK UP ITEM NUMBER 36, PERSONNEL MATTERS UNDER SECTION 551.074 OF THE OPEN MEETINGS ACT. PERSONNEL MATTERS RELATED TO OUR CITY CLERK. NO DECISIONS WERE MADE. BEFORE WE TAKE UP ITEM NUMBER 25, WHICH IS RELATED TO ITEM NUMBER 36, WE CAN CALL UP OUR 6:00 O'CLOCK PUBLIC HEARING AND POSSIBLE ACTION. WE HAVE ONE ITEM, ITEM NUMBER 37, CONDUCT A PUBLIC HEARING RELATED TO STANDARDS FOR CHILD CARE FOR THE PARKS AND RECREATION DEPARTMENT FACILITIES AND PROGRAMS. I WILL RECOGNIZE SOMEBODY FROM OUR PARKS DEPARTMENT.

MAYOR, COUNCIL. I'M WARREN STRIEWS, YOUR PARKS DIRECTOR. I'M VERY, VERY PLEASSED TO BE HERE TODAY TO BRING YOU OUR STANDARDS OF CARE FOR CHILDREN'S RECREATION PROGRAMS. I'VE HAD THE CHANCE TO LOOK AND REVIEW THE PROCEDURES, THE CHILD CARE ORDINANCE AND SO FORTH THAT HAS BEEN WORKED ON VERY DILIGENTLY BY BOTH OUR STAFF AND BY THE ATTORNEY'S OFFICE, BY RAUL, AND I'M VERY PLEASSED TO SAY THAT IT PROBABLY SETS THE BAR NATIONALLY FOR PARKS AND RECREATION DEPARTMENTS THROUGHOUT THE COUNTRY. AND I'M ALSO PLEASSED TO SAY THAT WE'RE IN TOTAL COMPLIANCE WITH IT, VERY PLEASSED TO ADVISE YOU OF THAT AS WELL.

**Mayor Wynn:** THANK YOU. QUESTIONS OF STAFF, COMMENTS? LET'S SEE. WE HAVE NO CITIZENS SIGNED UP ON ITEM NUMBER 37, OUR PUBLIC HEARING. SO WITHOUT QUESTIONS OR COMMENTS, I'LL ENTERTAIN A MOTION TO

CLOSE THE PUBLIC HEARING AND APPROVE ITEM --  
ORDINANCE RELATED TO ITEM NUMBER 37.

**Thomas:** SO MOVE, MAYOR, TO CLOSE THE PUBLIC HEARING  
AND MOVE FOR PASSING ON 37.

**Mayor Wynn:** THANK YOU. MOTION MADE BY  
COUNCILMEMBER THOMAS. SECONDED BY COUNCILMEMBER  
ALVAREZ TO CLOSE THE PUBLIC HEARING AND APPROVE  
THE ORDINANCE, ITEM NUMBER 37. FURTHER COMMENT?  
HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

**Mayor Wynn:** OPPOSED? MOTION PASSES ON A VOTE OF FIVE  
TO ZERO WITH THE MAYOR PRO TEM AND COUNCILMEMBER  
SLUSHER TEMPORARILY OFF THE DIAS. COUNCIL, THAT  
TAKES US TO ITEM NUMBER 25, RELATED TO OUR  
EVALUATION OF OUR CITY CLERK. ANY COMMENTS,  
QUESTIONS? I WILL SAY THAT PERSONNEL, AND I BELIEVE  
SPEAKING FOR THE CONSENSUS OF THE CITY COUNCIL, WE  
ARE VERY PLEASED WITH THE PROFESSIONALISM AND THE  
WORK OF OUR CITY CLERK AND HER FINE STAFF ACROSS  
THE HALL FROM US AT CITY HALLMENT AND WITH THAT I'LL  
ENTERTAIN A MOTION ON ITEM NUMBER 25.

**Alvarez:** MAYOR?

**Mayor Wynn:** COUNCILMEMBER ALVAREZ.

**Alvarez:** YES, MAYOR, I DO WANT TO COMMEND MS. BROWN  
AND ALL HER STAFF FOR AN EXCELLENT JOB. AND THERE'S A  
LOT OF CHALLENGING ISSUES THAT THEY HAVE TO WORK  
WITH AND DEAL WITH. AND THEY'RE VERY PROFESSIONAL,  
VERY RESPONSIVE, CERTAINLY APPRECIATE THE GOOD  
WORK ETHIC AND JUST THE FORESIGHT THAT IS DISPLAYED  
IN TERMS OF MANAGING THE OPERATIONS AND LOOKING TO  
THE FUTURE TO MAKE SURE THAT THINGS WERE GOING IN  
THE RIGHT DIRECTION. AND SO I REALLY DO WANT TO  
APPRECIATE OR THANK YOU FOR YOUR HARD WORK AND  
THE FINE WORK THAT YOU'VE DONE. AND SO WITH THAT I'LL  
JUST MOVE THAT WE APPROVE I GUESS ITEM 25 AND

MAINTAINING THE CURRENT LEVEL OF PAY AND BENEFITS.

**Mayor Wynn:** GREAT. THANK YOU. MOTION MADE BY COUNCILMEMBER ALVAREZ, SECONDED BY COUNCILMEMBER SLUSHER ON ITEM NUMBER 25 TO COMMEND OUR CITY CLERK AND NOTE THAT COMPENSATION AND BENEFIT PACKAGES REMAIN THE SAME. FURTHER COMMENT? QUESTIONS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

**Mayor Wynn:** OPPOSED? MOTION PASSES ON A VOTE OF SIX TO ZERO WITH THE MAYOR PRO TEM TEMPORARILY OFF THE DIAS. MS. BROWN, THAT'S THE LAST OF OUR ISSUES? WITH NO MORE ITEMS BEFORE THE CITY COUNCIL, I'LL ENTERTAIN A MOTION TO ADJOURN.

**Thomas:** SO MOVE.

**Mayor Wynn:** MOTION MADE BY COUNCILMEMBER THOMAS, SECONDED BY COUNCILMEMBER SLUSHER. FURTHER DISCUSSION? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

**Mayor Wynn:** OPPOSED? WE ARE ADJOURNED. THANK YOU VERY MUCH.

**End of Council Session Closed Caption Log**